54258-1

MINNESOTA STATE COURT REPORT
1987

Office of the State Court Administrator

Minnesota Supreme Court

230 State Capitol

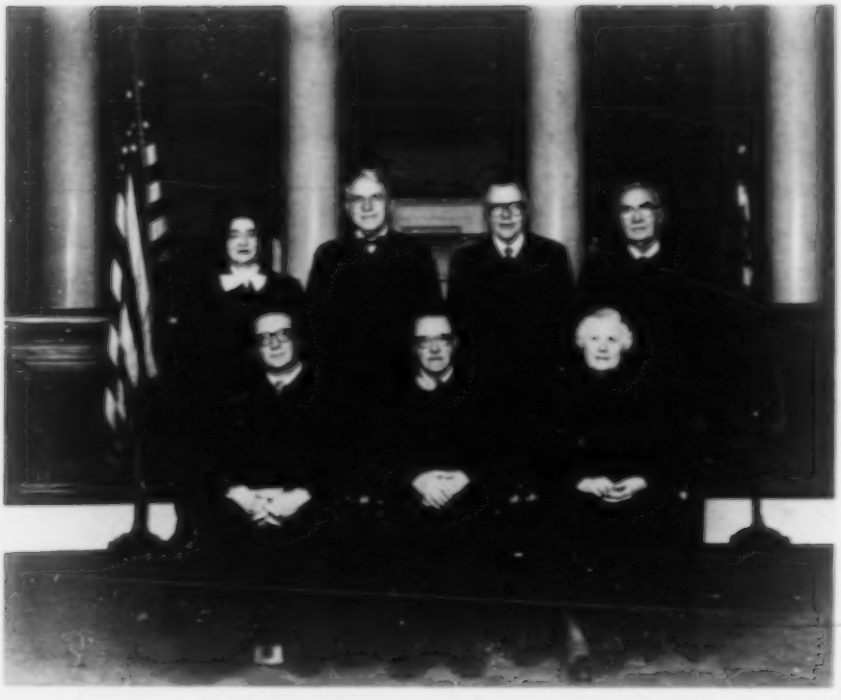
St. Paul, Minnesota 55155

(612) 296-2474

Reproduction of New Judicial Building

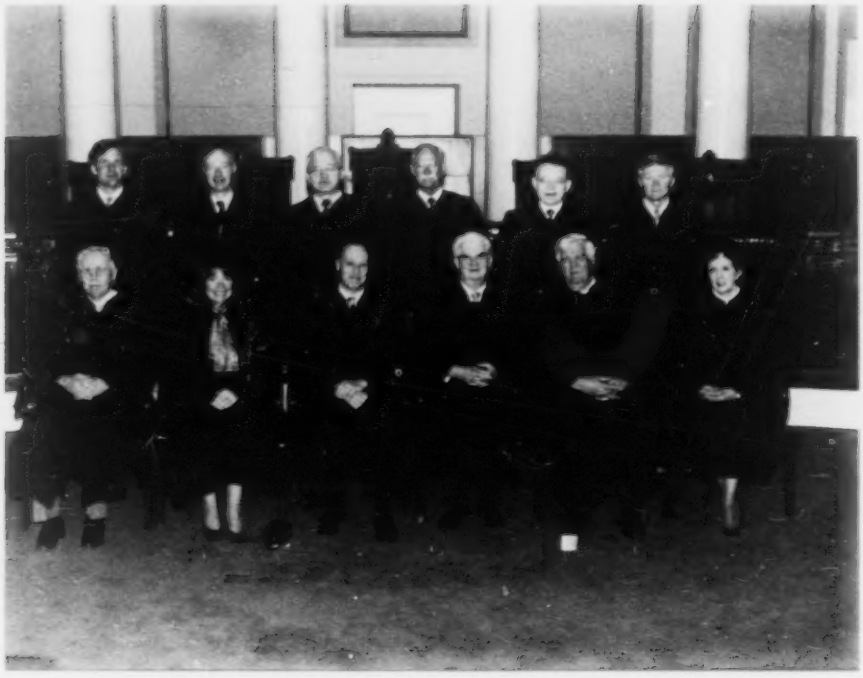
Minnesota Judicial Center
Expected Occupancy — Spring, 1990

Minnesota Supreme Court



Front row, left to right: Honorable Lawrence R. Yetka, Chief Justice Douglas K. Amdahl, Honorable Rosalie E. Wahl. Back row, left to right: Honorable M. Jeanne Coyne, Honorable John E. Simonett, Honorable Glenn E. Kelley, Honorable Peter S. Popovich.

Minnesota Court of Appeals



Front row, left to right: Honorable Thomas G. Forsberg, Honorable Harriet Lansing, Honorable Edward J. Parker, Chief Judge D. D. Wozniak, Honorable Daniel F. Foley, Honorable Doris Ohlsen Huspeni. Back row, left to right: Honorable Thomas J. Kalitowski, Honorable Fred C. Norton, Honorable R. A. "Jim" Randall, Honorable Roger J. Nierengarten, Honorable Gary L. Crippen, Honorable Robert H. Schumacher.

TABLE OF CONTENTS

Introduction 1

New Initiatives 4
- Legislative Initiatives 5
- Trial Court Unification 5
- Supreme Court Task Force for Gender Fairness in the Courts 6
- Alternative Dispute Resolution 6
- Minnesota Judicial Center Public Education Commission 7
- Expansion of the Trial Court Information System 7

Overview of the Minnesota Court System 8
- Supreme Court 9
- Court of Appeals 9
- District Court 9
- County Court 9
- Conciliation Court 10
- Unified Districts 10

Appellate Courts 13
- Appellate Caseloads Continue Increasing 15
- Further Review of Court of Appeals Decisions 20
- Case Processing Time Continues Downward Trend 22
- Pending Cases Increase Slightly 26
- Oral Argument in Appellate Courts 29
- Most Cases Disposed by Written Opinion 31
- Conclusion 33

Trial Courts 34
- Caseload, Workload and Caseflow 36
- Major Case Filings Continue to Increase 37
- Trial Court Backlog Grows 39
- Median Case Processing Time Steady 42
- Trial Rates 44
- Judge Need Increases 46
- Judicial Work by Type of Case 48
- Conclusion 51

Conference of Chief Judges 53

Judicial Expenditures and Revenues 54
Judicial System Constitutes Fraction of State Budget 55
Costs Shared by State and Counties 56
Trial Court Revenues Shared 57

Appendix A. Pending Caseloads by Case Type and Judicial District 58

List of Photos

Reproduction of New Judicial Building i
Minnesota Supreme Court ii
Minnesota Court of Appeals iii
Chief Judges, Minnesota Trial Courts 52

List of Tables

Table 1. Appellate Court Case Filings 1983-87 15
Table 2. Supreme Court Filings by Case Type 1986-87 17
Table 3. Court of Appeals Filings by Case Type 1986-87 19
Table 4. Further Review of Court of Appeals Decisions 20
Table 5. Median CaseProcessing Time in Appellate Courts 1983-87 23
Table 6. Case Timing Statistics 1983-87 24
Table 7. Supreme Court Case Flow 1983-87 26
Table 8. Court of Appeals Case Flow 1983-87 27
Table 9. Cases Receiving Oral Argument 29
Table 10. Cases Disposed by Written Opinions in Appellate Courts 32
Table 11. Trial Court Case Filings 1985-87 37
Table 12. Trial Court Filings, Dispositions and Pending Cases 1987-87 40
Table 13. Median Days from Filing to Disposition 1985-87 42
Table 14. Dispositions and Trial Rates in Trial Courts 1987-87 44
Table 15. Judicial Need 1987 46
Table 16. Judicial Work by Type of Case 1986-87 48

List of Figures

Figure 1. Minnesota Court System January - Prior to October 1987 11
Figure 2. Minnesota Court System - Current Structure 12
Figure 3. Appellate Court Caseload 1983-1987 16
Figure 4. Supreme Court Filings by Case Type - 1987 18
Figure 5. Court of Appeals Filings by Case Type - 1987 19
Figure 6. Petitions for Further Review 21
Figure 7. Case Processing Statistics 25
Figure 8. Supreme Court Case Flow 28
Figure 9. Court of Appeals Case Flow 28
Figure 10. Oral Argument 30
Figure 11. Written Opinions 31
Figure 12. Minnesota Judicial Districts 35
Figure 13. Trial Court Major Case Filings 1985-1987 38
Figure 14. Pending Caseload for Major Civil and Criminal Case Types in the Trial Courts 1985-1987 41
Figure 15. Percent of Cases Disposed by Trial by Case Type 1985-1987 45
Figure 16. Judicial Work by Case Type 49
Figure 17. Total Judge Time by Category 50
Figure 18. Total Case Related Judge Time by Category 50
Figure 19. State Budget 1987 55
Figure 20. Judicial System Funding 56
Figure 21. Trial Court Revenues 57

INTRODUCTION

INTRODUCTION

The year 1987 marks the tenth year since the passage of the Court Reorganization Act of 1977. The Court Reorganization Act was a result of the recommendations of the Select Committee on the Judicial System, chaired by Associate Justice Lawrence R. Yetka and comprised of judges, attorneys, representatives of numerous interest groups and public members. The Act created a clear administrative structure within the state court system, provided tools for optimizing the use of judicial personnel and created mechanisms for improved communications and participatory management within the system. Major initiatives of the Act included:

1. Vesting general administrative authority in the chief justice, including authority to assign any judge of any court to hear any matter in any location throughout the state;
2. Equalization of salaries of trial judges to recognize properly the worth of all judicial personnel and to facilitate assignment of judges across jurisdictional lines;
3. Expansion of the authority of the State Court Administrator to promulgate and administer uniform requirements concerning records, budgets, information systems, and establish standards and procedures for recruitment, evaluation, promotion and discipline of judicial system personnel;
4. Vesting in the chief judge of the 10 trial court districts general administrative authority for all courts within the district;
5. Creation of the position of district administrator to assist the chief judge in administering the district; and
6. Establishment of mandatory conferences for the judges of the district and the state to consider problems relating to judicial business and administration.

Over the past ten years Minnesota has continued to work hard at instituting programs, policies and procedures aimed at strengthening the effective delivery of judicial services to the citizens of Minnesota. Examples of these efforts include major strides in the automation of the courts through the Trial Court Information System, the development and execution of a weighted caseload study, the creation of a court of appeals, and the use of the Conference of Chief Judges as the policy making body for the trial courts.

During 1987 the judicial system continued to change and mature. As will be seen on the following pages, the Minnesota Judicial System's reputation as a leader in the area of judicial reform continues with such innovations as task forces to study the issues of gender fairness and

alternative dispute resolution; expansion of the Trial Court Information System (TCIS) throughout the courts in Minnesota; the execution of a non-exclusive distributorship and licensing agreement for marketing TCIS to courts in other jurisdictions; the unification of all trial court benches; and major efforts in the reduction and control of trial court delay.

NEW INITIATIVES

NEW INITIATIVES

During 1987 several initiatives, aimed at strengthening the administration of justice in this state, were undertaken by the Minnesota Judicial System. The following highlights several of these initiatives:

Legislative Initiatives

The 1987 Legislature listened carefully, and sympathetically, to the judiciary's recitation of needs and, despite a difficult state economic situation, provided the judicial branch with the funds and the authorizations necessary to properly meet its responsibilities to the citizenry. The following items were among those provided to the judicial system:

- One new judgeship to the court of appeals with necessary staff.
- Funds for the employment of retired judges to assist the court of appeals.
- Twenty-one new judgeships for the district court. The judgeships will be filled over a period of four years; the first five new judges assumed their duties on July 1, 1987.
- Funds for the employment of retired judges to assist where needed in the trial courts.
- Funds for study and improvement of appellate court facilities. The 1987 legislature authorized construction of a new judicial center to house the supreme court; court of appeals; the workers compensation court of appeals; the tax court; the state court administrator and staff; the state law library; the various boards and commissions supervised by the Supreme Court; and other court-related activities. It is anticipated that Phase I of the project will be completed in the spring of 1990.
- Funds for the expansion of the Trial Court Information System in courts throughout the state.

Trial Court Unification

In September of 1987, the last of the judicial districts of the state merged its district and county courts into a single trial court. This has given the court system the efficiency and increased administrative flexibility to meet the growing caseload. Case assignments within each district are made by the chief judge and the district administrator based upon the needs of the district and not upon the jurisdictional title of the judge. Coupled with the efforts of the Caseflow Management Committee of the Conference of Chief Judges to identify and reduce delays in case processing within each district, the system is able to maintain high standards of case disposition without developing significant backlogs and without requiring significant additional resources.

Supreme Court Task Force for Gender Fairness in the Courts

The Supreme Court established this committee, chaired by Associate Justice Rosalie E. Wahl, to explore the extent to which gender bias exists in the Minnesota State Court System by ascertaining whether statutes, rules, practices or conduct work unfairness or undue hardship on women or men in the court system; to document where found the existence of discriminatory treatment of women or men litigants, witnesses, jurors, and of women judicial, legal, and court personnel; to recommend methods to eliminate gender unfairness in the courts; and to monitor the implementation of approved reform measures and evaluate their effectiveness in assuring gender fairness in the court process. It is anticipated that reform measures will include the development and provision of necessary judicial education, the passage of legislation and promulgation of court rule and policy revisions. Recommendations of the task force will be reported to the Supreme Court by June 30, 1989.

Alternative Dispute Resolution

The joint Supreme Court/Minnesota State Bar Association Task Force on Alternative Dispute Resolution (ADR) was established for the purpose of exploring alternative methods by which the burden of the caseload upon the courts may be eased and the resolution of the legal problems of the citizens facilitated. The group, under the able leadership of Judge Charles A. Flinn, is assessing the promise of ADR programs for resolving disputes more efficiently, at less cost, and with greater satisfaction to the parties while assuring that these processes guarantee fundamental fairness and promote the goals of effective and efficient justice.

Hennepin County, which already has a flagship mandatory arbitration program for civil cases under $50,000, will be the site for another pilot project on the use of mediation in civil cases over $50,000. The project goal is the reduction of judicial time spent per case, a reduction of the number of cases awaiting trial, the reduction of litigant costs through earlier disposition, and greater litigant satisfaction.

The Rules of Family Court, made effective January 1, 1987, grant all courts the authority to mediate any issues arising during a dissolution proceeding. It is anticipated that mediation of these issues will reduce the acrimony that so often accompanies dissolution litigation so that hearings, trials, and appeals will be reduced; so that the constant relitigation of custody and support issues will be reduced; and so that children will less likely be pawns in a litigious process. The Conference of Chief Judges has adopted standards for the certification of mediation training to help assure those offering to mediate are qualified to serve.

Minnesota Judicial Center Public Education Commission

The creation of the Minnesota Judicial Center on the Capital Mall in St. Paul to house Minnesota's appellate courts and related offices gives the judiciary a great opportunity to inform the public of the basic principles and fundamental purposes to which the law is dedicated. The Public Education Commission was established to develop ways to increase public understanding of the judicial system, its functions, procedures, and fundamental principles, by developing a broad information and education program. This will be accomplished through lectures, exhibits, videos, and displays.

Expansion of the Trial Court Information System

The Trial Court Information System (TCIS), a comprehensive, automated, recordkeeping system, enables court administrators to manage court calendars, to manage and maintain court records of all types, and to improve financial management control of bail, fines, fees, restitution, time payments, and delinquent accounts. To date 27 Minnesota counties and both appellate courts are using TCIS, with plans to add at least 26 more counties during 1988. An Ohio court is also using TCIS under a license granted by the Supreme Court. In the fall of 1987 a non-exclusive agreement was reached between the Supreme Court and Honeywell Bull, Inc. to permit the marketing and distribution of TCIS to courts throughout the United States.

OVERVIEW OF THE MINNESOTA COURT SYSTEM

OVERVIEW OF MINNESOTA COURTS

The judicial power of the State of Minnesota is vested in a supreme court, a court of appeals, a district court, and for part of 1987, two courts of limited jurisdiction. The supreme court and the district court are mandated by the state constitution. Establishment of the court of appeals is authorized by the constitution and the county and conciliation courts are created by statute.

Supreme Court

The supreme court is the court of last resort, hearing appeals directly from the workers' compensation court of appeals, tax court, first degree murder convictions, legislative contest appeals, and election ballot errors and omissions, and hearing appeals of court of appeals decisions at its discretion. The court may issue all necessary writs and processes. The supreme court is comprised of a chief justice and six associate justices.

Court of Appeals

The court of appeals is the state's intermediate appellate court. Its jurisdiction includes appeals from all trial courts, appeals from administrative agency decisions, and appeals from decisions of the commissioner of economic security. The court has the authority to issue all necessary writs and orders, and may issue writs of certiorari to all agencies, public corporations, and public officials except the tax court and workers' compensation court of appeals. During the first half of 1987, the court was comprised of a chief judge and 11 associate judges. An additional associate judge was added to the court on July 1, 1987.

District Court

The district court has original statewide jurisdiction in all civil and criminal actions within district boundaries. In most judicial district all civil, criminal, family, probate, juvenile, conciliation, and traffic and ordinance violations are heard in district court. In three of the judicial districts, the district court heard civil cases in which the amount in controversy is $15,000 or more and felony and gross misdemeanor violations for the first half of the year. There are 10 judicial districts and 225 district judges.

County Court

Until October 1987, there existed a county court in the state of Minnesota. The county court had exclusive jurisdiction in probate and juvenile matters. In addition, the court had civil jurisdiction over matters involving up to $15,000, and criminal jurisdiction over gross misdemeanors, misdemeanors, and petty misdemeanors. The county court also had a family court

division, a conciliation court, and traffic and ordinance violation bureaus, and exercised appellate jurisdiction over conciliation court cases which were heard de novo in county courts. Until the county court's merger into the district court in late 1987, there were 47 county court judges.

Conciliation Court

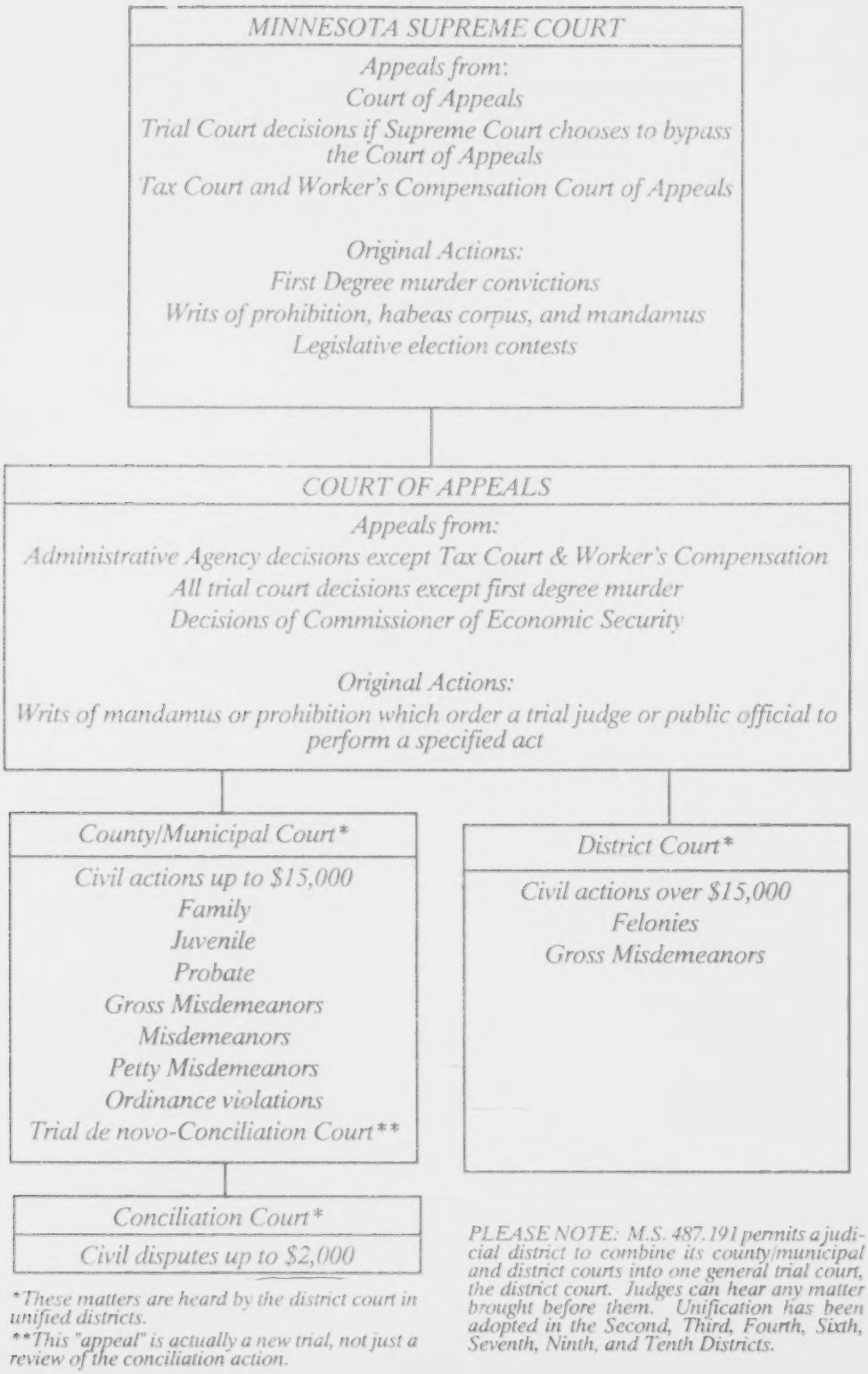
Conciliation court, formerly a division of the county and now a part of the district court, has jurisdiction in civil cases involving up to $2,000. Judges serve in conciliation court, except in Hennepin and Ramsey counties where attorneys serve as court referees.

Unified Districts

Minnesota Statutes, section 487.191 permits a judicial district to combine its county, municipal, and district courts into one general trial court, the district court. To accomplish this a majority of the county/municipal judges and a majority of the district judges must vote in the affirmative and certify their intention to reorganize with the secretary of state. Reorganization is effective one year following certification.

Under a unified system all judges are called district court judges and are empowered to hear any matter brought before them. All judges run for reelection, district-wide, as incumbent judges of the district court. The Second, Third, Fourth, Sixth, Seventh, Ninth, and Tenth Judicial Districts consolidated their trial courts prior to 1987. The three remaining districts, the First, Fifth, and Eighth became unified in mid-1987.

Figure 1. Minnesota Court System January - Prior to October 1987

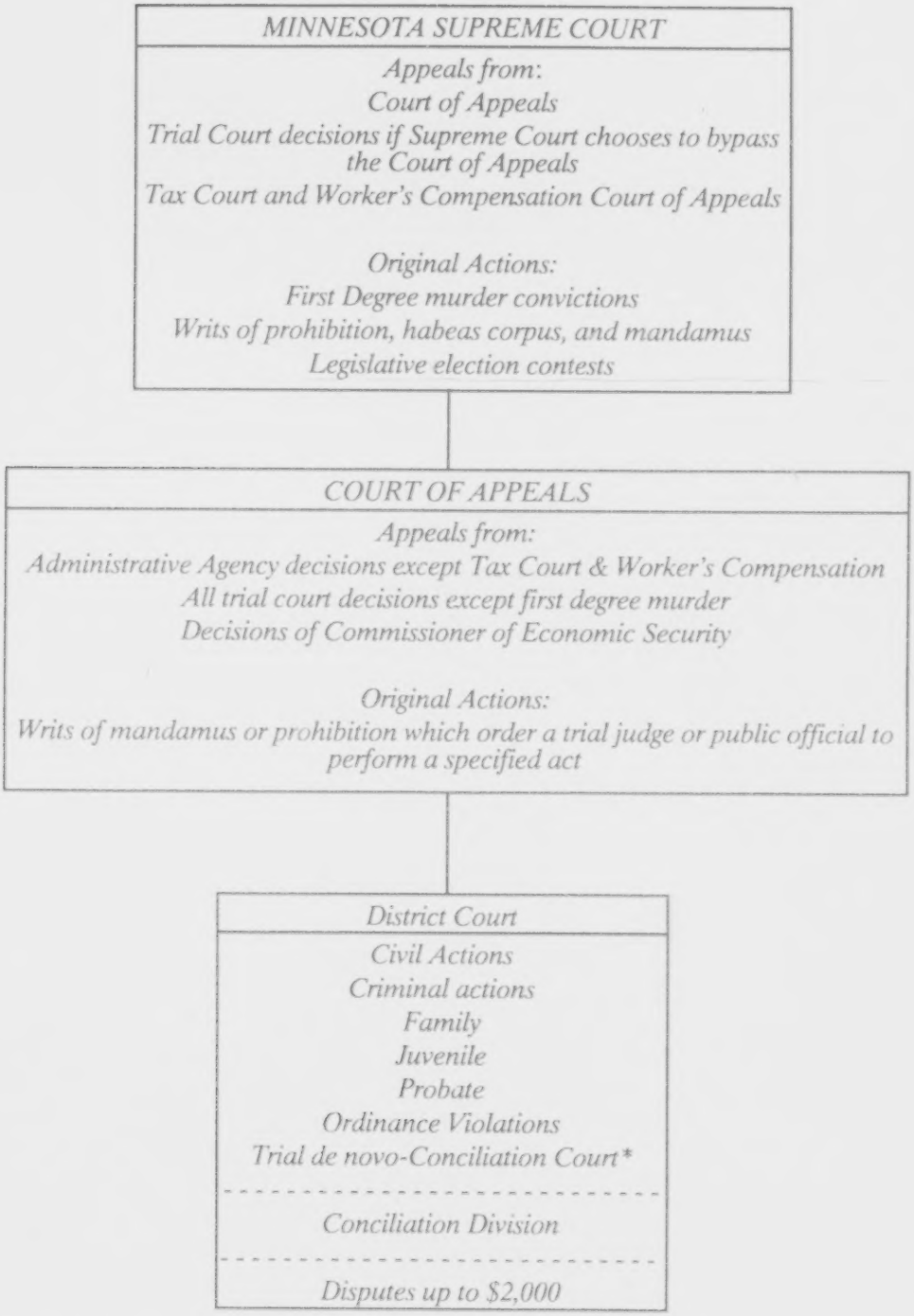

MINNESOTA SUPREME COURT
Appeals from:
Court of Appeals
Trial Court decisions if Supreme Court chooses to bypass the Court of Appeals
Tax Court and Worker's Compensation Court of Appeals
Original Actions:
First Degree murder convictions
Writs of prohibition, habeas corpus, and mandamus
Legislative election contests
COURT OF APPEALS
Appeals from:
Administrative Agency decisions except Tax Court & Worker's Compensation
All trial court decisions except first degree murder
Decisions of Commissioner of Economic Security
Original Actions:
Writs of mandamus or prohibition which order a trial judge or public official to perform a specified act
County/Municipal Court*
Civil actions up to $15,000
Family
Juvenile
Probate
Gross Misdemeanors
Misdemeanors
Petty Misdemeanors
Ordinance violations
Trial de novo-Conciliation Court**
District Court*
Civil actions over $15,000
Felonies
Gross Misdemeanors
Conciliation Court*
Civil disputes up to $2,000

*These matters are heard by the district court in unified districts.

**This "appeal" is actually a new trial, not just a review of the conciliation action.

PLEASE NOTE: M.S. 487.191 permits a judicial district to combine its county/municipal and district courts into one general trial court, the district court. Judges can hear any matter brought before them. Unification has been adopted in the Second, Third, Fourth, Sixth, Seventh, Ninth, and Tenth Districts.

Figure 2. Minnesota Court System - Current Structure


MINNESOTA SUPREME COURT
Appeals from:
Court of Appeals
Trial Court decisions if Supreme Court chooses to bypass the Court of Appeals
Tax Court and Worker's Compensation Court of Appeals
Original Actions:
First Degree murder convictions
Writs of prohibition, habeas corpus, and mandamus
Legislative election contests
COURT OF APPEALS
Appeals from:
Administrative Agency decisions except Tax Court & Worker's Compensation
All trial court decisions except first degree murder
Decisions of Commissioner of Economic Security
Original Actions:
Writs of mandamus or prohibition which order a trial judge or public official to perform a specified act
District Court
Civil Actions
Criminal actions
Family
Juvenile
Probate
Ordinance Violations
Trial de novo-Conciliation Court*
Conciliation Division
Disputes up to $2,000

*This appeal is actually a new trial, not just a review of the conciliation court.

APPELLATE COURTS

APPELLATE COURTS

In late 1983, the new, two-tiered appellate court system began operations. The remarkable performance of the court of appeals and the supreme court has been reported previously.[1] This report points to further notable accomplishments of the appellate courts in caseload processing.

1 See, for example, Minnesota Supreme Court: Report on Operations 1986, St. Paul Office of the State Court Administrator, June, 1987, and Peter S. Popovich, Beginning a Judicial Tradition: Formative Years of the Minnesota Court of Appeals 1983-1987, St. Paul: State Court Administrator's Office, November, 1987.

Appellate Caseloads Continue Increasing

Caseloads in the appellate courts have been increasing throughout the current decade, continuing the trend of the previous decade. Increases in caseload have led to a number of organizational modifications of the appellate court system, including the creation of new judicial positions, and culminating in the establishment of the court of appeals. This new intermediate appellate court reduced the extreme workload of the supreme court, allowing the supreme court to enhance its functions relating to law-stating, state court system administration, regulation of the practice of law, and public service.

The court of appeals hears all first appeals in the state, except for first degree murder cases, workers compensation cases, attorney discipline and judicial discipline cases, appeals from tax court, and legislative election contest appeals. The supreme court has discretionary review of decisions of the appellate court, and generally reviews those which raise constitutional questions, those of statewide importance, those which require clarification or harmonization of law, or those which present issues likely to recur.

In 1987, the caseload of the appellate courts increased by 11% over 1986. Since 1984, as seen in Table 1, the appellate court caseload has increased by 22%.

Table 1. Appellate Court Case Filings 1983-87

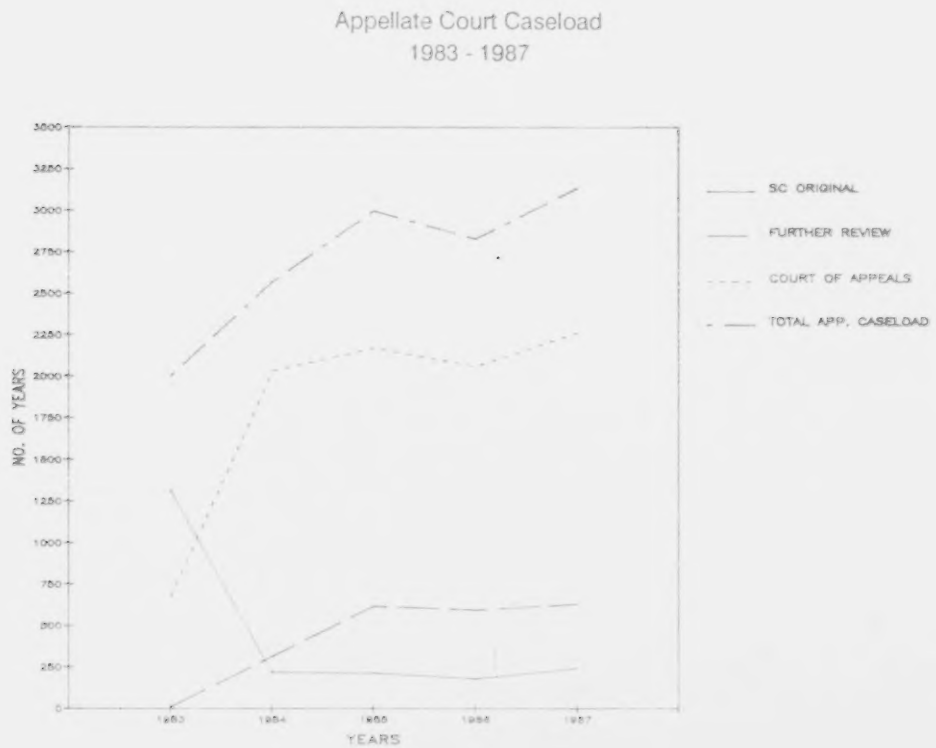
	Supreme Court				
Year	Original Jurisdiction	Further Review	Total	Court of Appeals	Grand Total
1983	1311	6	1317	680	1997
1984	215	309	524	2036	2560
1985	210	612	822	2168	2990
1986	176	589	765	2057	2822
1987	241	626	867	2260	3127
Percentage changes:					
1983-84	-84%		-60%	199%	28%
1984-85	-2%	98%	57%	6%	17%
1985-86	-16%	-4%	-7%	-5%	-6%
1986-87	37%	6%	13%	10%	11%
1984-87	12%	103%	65%	11%	22%

Court of appeals cases reached an all-time high of 2260 cases filed in 1987, an increase of 10% over 1986. With a total of thirteen judges on the court, this results in a workload of about 174

cases per judge. The legislation establishing this court contemplated a workload of about 100 cases per judge per year. The court has had to take steps to deal with this increasing caseload, including the use of retired judges, the non-publication of some opinions and the elimination of en banc procedures which permitted consideration of selected cases by larger than the normal three judge panel.

The supreme court's caseload in 1987 also reached a high point since the establishment of the court of appeals. Original jurisdiction cases increased 37% over 1986, and are 12% higher than 1984. Petitions for further review of appellate court decisions, which must first be reviewed to determine if they will be granted or denied, increased by 6% in 1987. Once the determination to grant review is made, the case is processed normally in the same fashion as an original jurisdiction case, with briefs being filed, oral arguments being heard, and a decision rendered.

Figure 3. Appellate Court Caseload 1983-1987



Supreme court filings by case type are shown in Table 2. In 1987, civil case filings dropped by 6%, from 346 to 324 cases filed. Almost one-half of all filings in 1986 were civil cases; in 1987 this dropped to 37% of the total. Workers compensation cases, on the other hand, increased by 45%, or 44 cases, from 1986 to 1987. This finding has further implications which will be discussed later in this report.

Table 2. Supreme Court Filings by Case Type 1986-87

	1986		1987		
Case Type	Number	%	Number	%	Percent Change
Civil	346	45%	324	37%	-6%
Criminal	141	18%	158	18%	12%
Workers Compensation	98	13%	142	16%	45%
Tax Court	13	2%	9	1%	-31%
Economic Security	9	1%	4	0%	-56%
Discretionary Review	10	1%	9	1%	-10%
Writs	21	3%	28	3%	33%
Attorney Discipline	27	4%	42	5%	56%
Commitment	3	0%	6	1%	100%
Family	52	7%	70	8%	35%
Agency Review	22	3%	28	3%	27%
Certified Question	11	1%	17	2%	55%
Implied Consent	2	0%	10	1%	400%
Probate/Trust	2	0%	6	1%	200%
Other	8	1%	14	2%	75%
Total	765	100%	867	100%	13%

Figure 4. Supreme Court Filings by Case Type - 1987

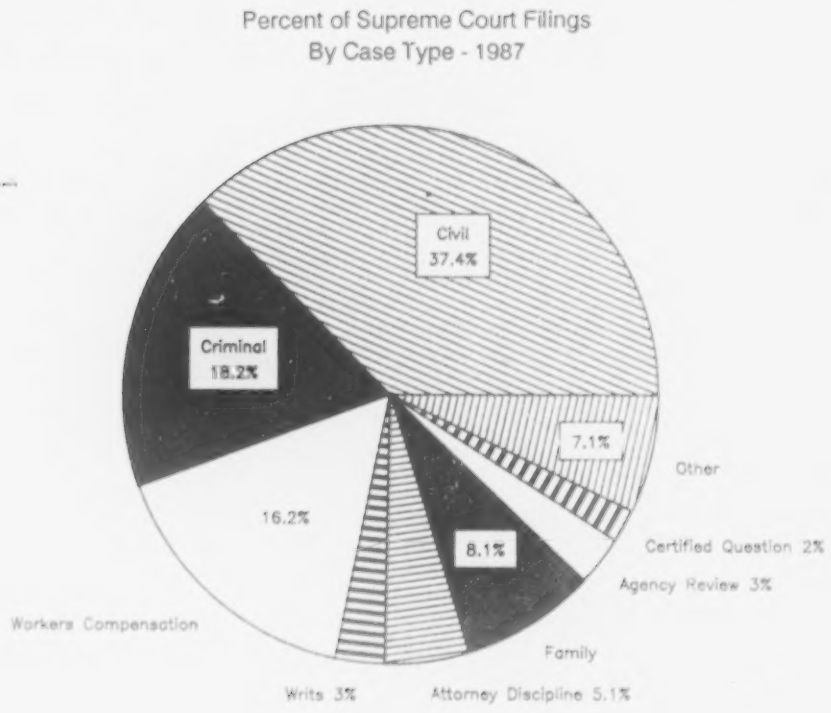
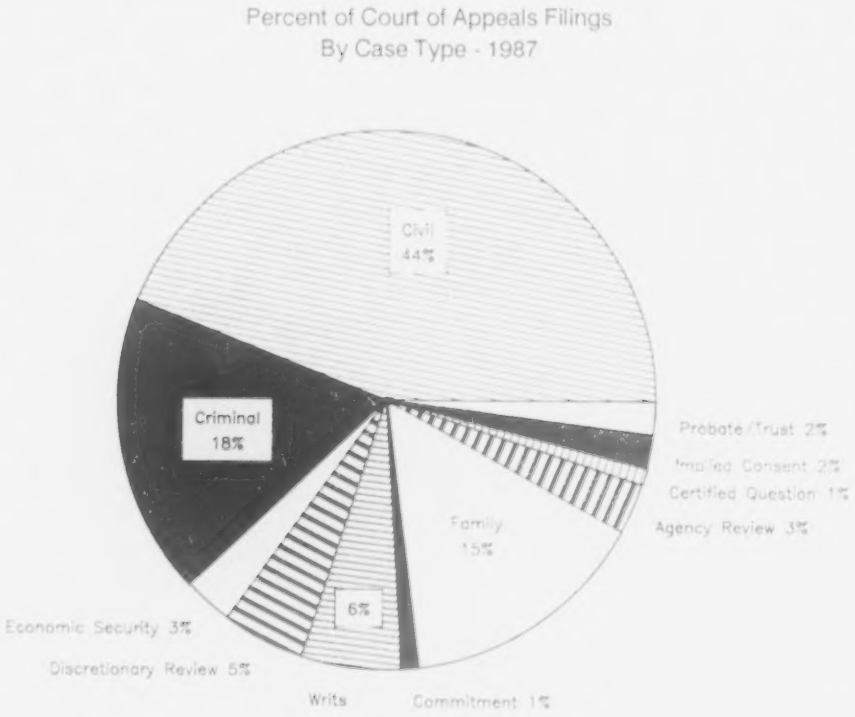


Table 3 shows a breakdown of cases filed by type of case for the court of appeals for 1986 and 1987. The largest category is civil disputes, with almost half of the total, followed by criminal cases (18%), and family cases (15%). The proportion of cases of each type is remarkably stable from 1986 to 1987. The increase in total cases from 1986 to 1987 appears generally across the board in all case types, although decreases are noted for some case types, including family (-10%) and implied consent appeals (-11%).

Table 3. Court of Appeals Filings by Case Type 1986-87

Case Type	1986 Number	1986 %	1987 Number	1987 %	Percent Change
Civil	901	44%	991	44%	10%
Criminal	354	17%	400	18%	13%
Economic Security	73	4%	75	3%	3%
Discretionary Review	90	4%	108	5%	20%
Writs	102	5%	140	6%	37%
Commitment	15	1%	23	1%	53%
Family	366	18%	330	15%	-10%
Agency Review	65	3%	77	3%	18%
Certified Question	8	0%	16	1%	100%
Implied Consent	62	3%	55	2%	-11%
Probate/Trust	19	1%	44	2%	132%
Other	2	0%	1	0%	-50%
Total	2057	100%	2260	100%	10%

Figure 5. Court of Appeals Filings by Case Type - 1987



Further Review of Court of Appeals Decisions

When the court of appeals was established there was some concern that it would just add another step to the court process; that attorneys and litigants would simply appeal their case again to the supreme court. The result of this would be to create further backlog and delay in the court system, and would not reduce the burden of work in the supreme court.

The data show that this concern was not borne out. The supreme court, like the U.S. supreme court, decides which cases it will hear. Generally, the court only takes cases which raise constitutional issues, are of statewide importance, require clarification or harmonization of law, or present issues likely to reoccur.

As shown in Table 4, about 25% of the cases disposed by the court of appeals since 1983 have been further appealed to the supreme court. The supreme court has decided whether to grant or deny further review in 2,071 cases over the approximately four-year period. Of these 2,071 cases, about one-fourth (487 cases) were granted further review by the supreme court.

Overall, only about 6% of all cases decided by the court of appeals are granted further review by the supreme court.

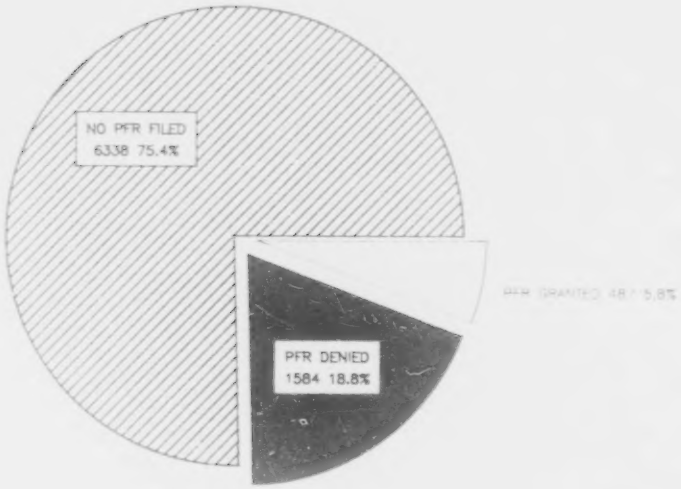
Table 4. Further Review of Court of Appeals Decisions

Year	Cases Disposed	Petitions for Further Review: Total	Pct	Denied	Pct	Granted	Pct
1983	117	3	3%	3	3%	0	0%
1984	1834	199	11%	142	8%	57	3%
1985	2142	693	32%	514	24%	179	8%
1986	2082	598	29%	472	23%	126	6%
1987	2234	578	26%	453	20%	125	6%
Total	8409	2071	25%	1584	19%	487	6%

Year	Petitions for Further Review: Total	Pct	Denied	Pct	Granted	Pct
1983	3	100%	3	100%	0	0%
1984	199	100%	142	71%	57	29%
1985	693	100%	514	74%	179	26%
1986	598	100%	472	79%	126	21%
1987	578	100%	453	78%	125	22%
Total	2071	100%	1584	76%	487	24%

Figure 6. Petitions for Further Review

Minnesota Court of Appeals
Cases Granted Further Review (PFR)
By the Supreme Court
1983 - 1987



Case Processing Time Continues Downward Trend

An important indicator of the quality of justice is the speed with which justice is rendered. Litigants should not have to endure unnecessary delays in order to get their cases heard by the court. Particularly in the appellate courts, where the litigants have already had their cases tried by another court, it is imperative that cases be processed without undue delay.

The data clearly show that the establishment of the court of appeals has reduced the length of time it takes to get cases through the appellate system.

As shown in Table 5, the median overall time in 1983 was 186 days. By 1987, this had been reduced to 149 days from filing to disposition, a reduction of almost 20%. This means that, even taking into account the fact that some court of appeals cases are appealed further to the supreme court, the total processing time for cases through the appellate court system has been reduced over the last four years.

Table 5.[1] Median Case Processing Time in Appellate Courts 1983-87

	Supreme Court		Court of Appeals		Granted PFR Cases *		Total **	
Year	Cases	Median	Cases	Median	Cases	Median	Cases	Median
1983	1,357	197	117	57	0		1470	186
1984	953	421	1836	140	9	232	2543	191
1985	435	198	2148	145	108	488	2534	169
1986	331	190	2108	147	163	479	2317	177
1987	317	147	2251	138	114	357	2423	149
Total	3,393		8,460		394		11,287	

Percent Change

Year	Median	Median	Median	Median
1983-84	113.7	145.6		2.7
1984-85	-53.0	3.6	110.3	-11.5
1985-86	-4.0	1.4	-1.8	
1986-87	-22.6	-6.1	-25.5	4.7
1983-87	-25.4			-19.9

Notes: * Time is from filing in court of appeals to disposition in supreme court.

** Time is from filing in either appellate court to final disposition of case in either court, including PFR denials and grantings and subsequent processing.

There is no absolute time standard for the disposition of cases on appeal, but there are guidelines, adopted by the American Bar Association (ABA), to which courts can aim. For supreme courts, the ABA standard is 300 days from filing to disposition, while for intermediate courts of appeal, the ABA standard is 255 days. As Table 6 indicates, the Minnesota appellate courts are operating well within these guidelines.

1 Table 5 presents the median case processing time for appellate court cases. The first column shows median case processing time for cases either originally filed with the supreme court or granted further review by the supreme court. The second column shows median case processing time for the court of appeals. The third column shows total processing time through the appellate court system for cases granted further review by the supreme court. The fourth column shows total processing time for all cases processed by the appellate courts, whether they terminate in the court of appeals or in the supreme court, either by disposition or denial of a petition for further review. The last column, then, represents the total amount of time cases are taking to be processed by the appellate court system.

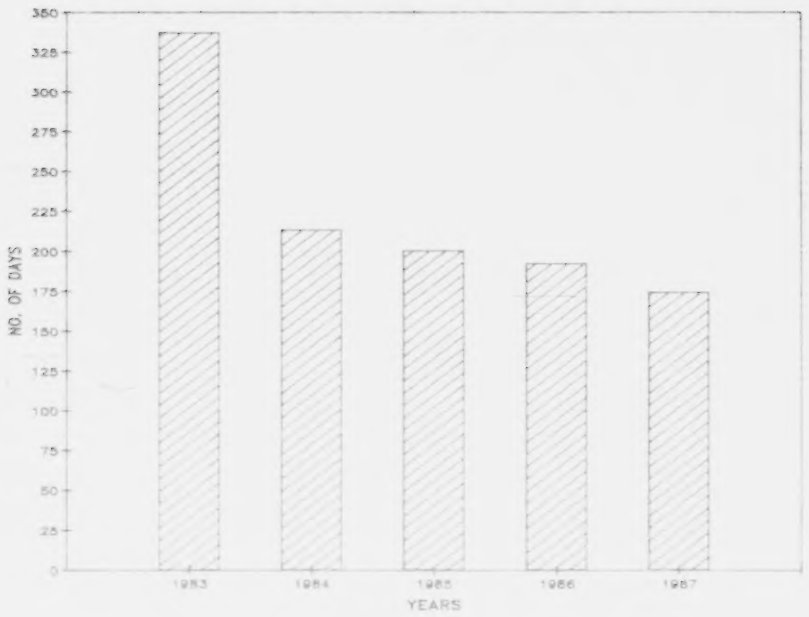
Table 6. Case Timing Statistics 1983-1987

	Supreme Court		Court of Appeals		Total	
Year	Oral	Nonoral	Oral	Nonoral	Oral	Nonoral
1983	340	275	118	114	338	273
1984	424	461	201	160	214	259
1985	232	215	200	166	201	172
1986	239	164	187	166	193	166
1987	191	139	174	166	175	161
Percentage changes:						
1983-84	25%	68%	70%	40%	-37%	-5%
1984-85	-45%	-53%	-0%	4%	-6%	-34%
1985-86	3%	-24%	-7%	0%	-4%	-3%
1986-87	-20%	-15%	-7%	0%	-9%	-3%
1984-87	-44%	-49%	-13%	4%	-48%	-41%

The Minnesota supreme court in 1987 disposed of cases heard orally in a median time of 191 days, and cases heard non-orally in a median time of 139 days. The court of appeals disposed of oral cases in a median time of 174 days, and non-oral cases in a median time of 166 days. Overall, these median processing times have been reduced by 48% and 41%, respectively, since 1983. By this criterion, the Minnesota appellate courts clearly are surpassing nationally recognized case processing time standards.

Figure 7. Case Processing Statistics

Minnesota Appellate Courts
Case Processing Statistics
Median Days to Dispose of Oral Cases
1983 - 1987



Pending Cases Increase Slightly

A court is a dynamic institution. Cases are continually heard and disposed and new cases enter the system to replace them. Cases must be disposed of at a rate at least equal to the rate of new cases entering the system, or backlog and delay will develop. Once there is a significant backlog of cases, cases must be disposed of at a rate greater than the rate of new cases entering the system to reduce the backlog.

A measure of efficiency of a court, called the **calendar clearance rate**, is used to measure the ability of the court to keep pace with its caseload. The clearance rate is determined by dividing the number of dispositions by the number of new filings, and multiplying by 100 to convert the measure to a percentage. If the clearance rate is 100%, the court is keeping up with its caseload. If it is greater than 100%, the court is reducing its backlog. Similarly, if the clearance rate is less than 100%, backlog is developing.

Table 7 shows filings, dispositions, clearance rates, and pending case counts for the supreme court for the period 1983-1987. In 1987, filings increased by 24% over 1986, while dispositions decreased by 4%, leading to an increase in pending cases of 25%, or 54 cases. In 1987, the supreme court cleared 86% of its new cases.

Table 7. Supreme Court Case Flow 1983-87

	Filed	Disposed	Clearance	Pending
1983	1311	1359	104%	955
1984	272	951	350%	276
1985	389	430	111%	235
1986	302	332	110%	205
1987	373	319	86%	259
		Percent Change		
1984-85	43%	-55%		-15%
1985-86	-22%	-23%		-13%
1986-87	24%	-4%		26%
1984-87	37%	-66%		-6%

NOTE: These pending counts are different from some counts earlier published due to correction of earlier errors in counting cases.

The court of appeals cleared 99% of its new cases in 1987, as shown in Table 8. Filings increased by 11% in 1987, dispositions increased by 7%, and pending cases increased by 2% over 1986. The number of pending cases increased by 16% over 1986.

Table 8. Court of Appeals Case Flow 1983-87

	Filed	Disposed	Clearance	Pending
1983	681	117	17%	564
1984	2036	1839	90%	761
1985	2169	2146	99%	784
1986	2056	2107	102%	733
1987	2272	2256	99%	749
		Percent Change		
1984-85	7%	17%		3%
1985-86	-5%	-2%		-7%
1986-87	11%	7%		2%
1984-87	12%	23%		-2%

Figure 8. Supreme Court Case Flow

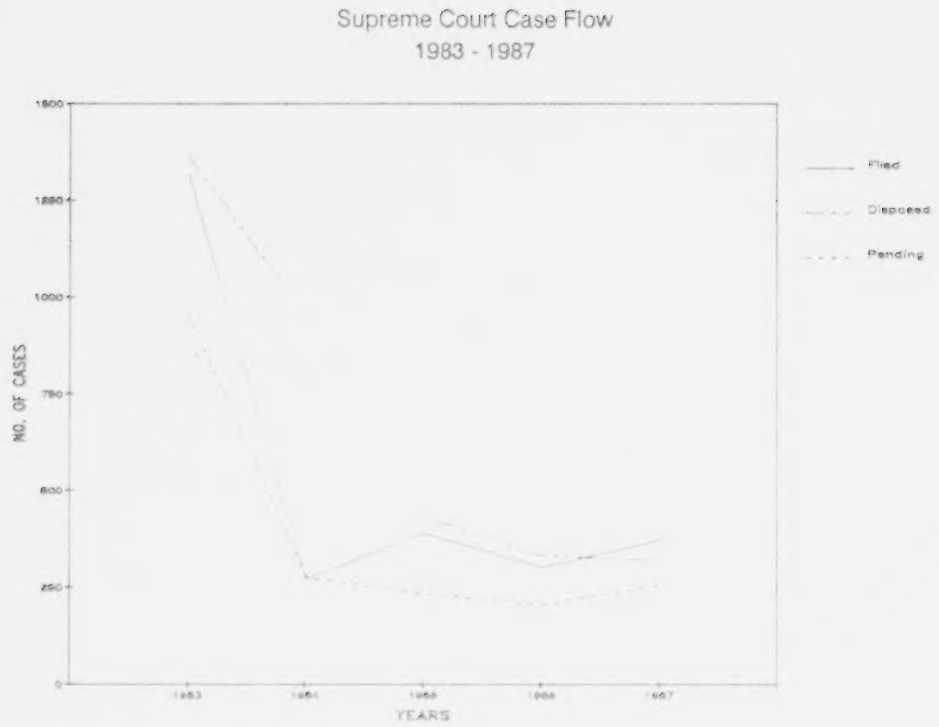
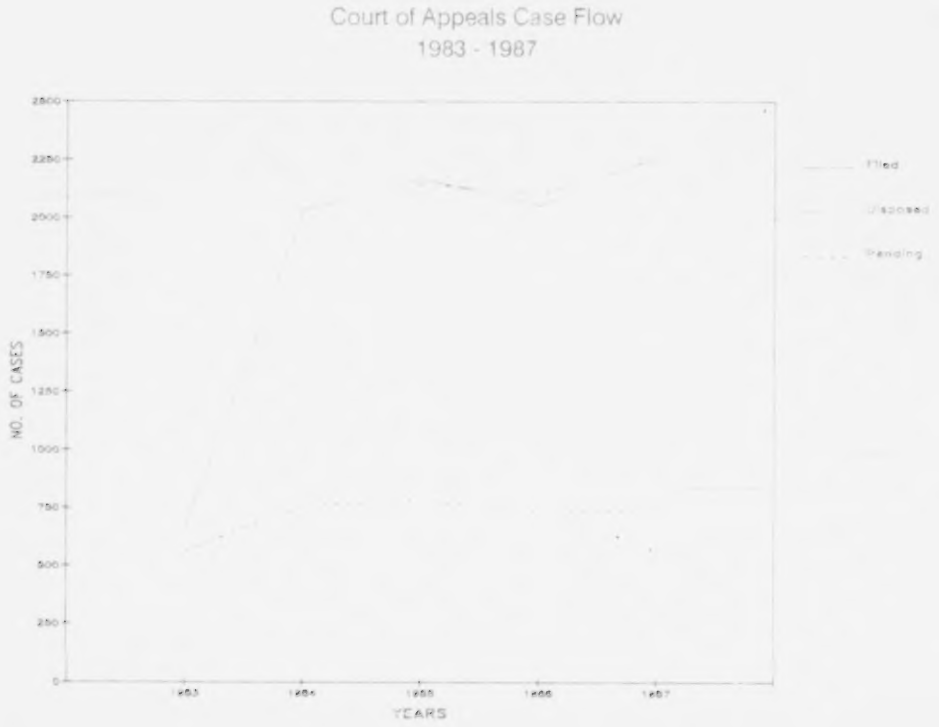


Figure 9. Court of Appeals Case Flow



Oral Argument in Appellate Courts

It is very important that there be an opportunity for litigants to argue their cases orally before the court. There are cases for which oral argument is unnecessary, e.g., those in which there is a stipulated dismissal, denial, or other disposition, or where consideration would not be materially improved by oral argument. However, generally the litigants and attorneys would prefer an opportunity to plead their case before the court in order to highlight the essential issues of a case.

Prior to the establishment of the court of appeals, the heavy caseload of the supreme court permitted it to hear oral argument in only 7% of its cases.

As Table 9 shows, since the establishment of the court of appeals, the percentage of cases disposed by oral argument has risen to about 40% for the appellate court system.

Table 9. Cases Receiving Oral Argument

Supreme Court

Year	Cases Disposed	Oral Argument Number	Pct
1983	1357	96	7%
1984	953	89	9%
1985	433	132	30%
1986	332	177	53%
1987	319	116	36%

Court of Appeals

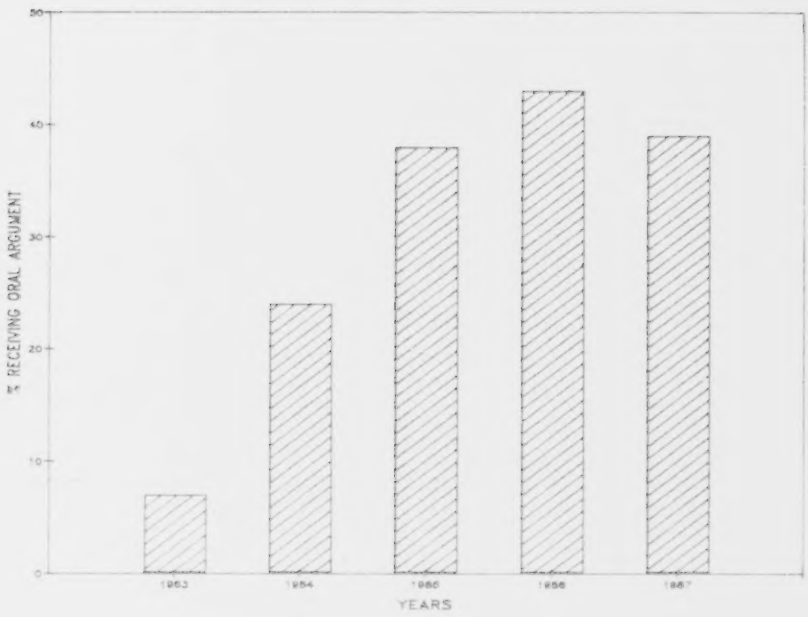
Year	Cases Disposed	Oral Argument Number	Pct
1983	117	7	6%
1984	1822	587	32%
1985	2154	861	40%
1986	2093	876	42%
1987	2234	867	39%

Total

Year	Cases Disposed	Oral Argument Number	Pct
1983	1474	103	7%
1984	2775	676	24%
1985	2587	993	38%
1986	2425	1053	43%
1987	2553	983	39%

Figure 10. Oral Argument

Minnesota Appellate Courts
Cases Receiving Oral Argument
1983 - 1987



Most Cases Disposed by Written Opinion

It is important to litigants and counsel that the court state its reasons in writing for deciding a case in a certain way. Written opinions serve an important educational function, in both a general and specific sense. They serve to inform the parties of the particular decision on a case. They also serve to educate the public regarding the interpretation and application of the law.

Where a significant legal issue exists in a case, a written opinion is very desirable. Some cases, on the other hand, require no additional explanation by the court, e.g., those disposed by dismissal, denial or other disposition.

In 1983, prior to the creation of the court of appeals, only 24% of cases on appeal received written opinions. In 1987, the appellate courts disposed of 61% of its cases by written opinion.

Figure 11. Written Opinions

Minnesota Appellate Courts
Cases Disposed By Written Opinion
1983 - 1987

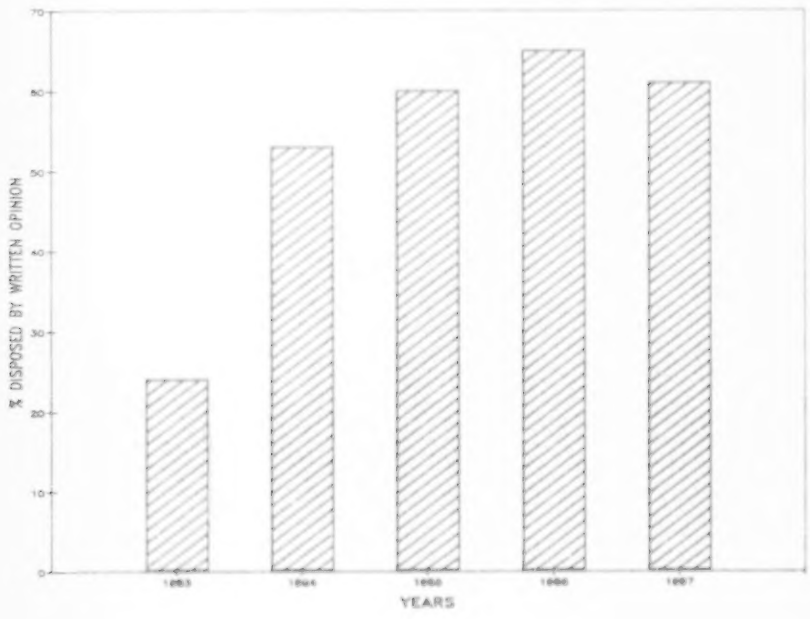


Table 10. Cases Disposed By Written Opinions in Appellate Courts

Supreme Court

Year	Cases Disposed	Cases Disposed by Written Opinion	
		Cases	Pct
1983	1357	330	24%
1984	953	439	46%
1985	433	237	55%
1986	332	210	63%
1987	319	157	49%

Court of Appeals

Year	Cases Disposed	Cases Disposed by Written Opinion	
		Cases	Pct
1983	117	22	19%
1984	1822	1041	57%
1985	2154	1309	61%
1986	2093	1355	65%
1987	2234	1390	62%

Total

Year	Cases Disposed	Cases Disposed by Written Opinion	
		Cases	Pct
1983	1474	352	24%
1984	2775	1480	53%
1985	2587	1546	60%
1986	2425	1565	65%
1987	2553	1547	61%

NOTE: Supreme court dispositions do not include PFRs denied.

Conclusion

The Minnesota appellate court system continues to experience rising caseloads. Despite these increasing caseloads, the supreme court and court of appeals have been able to reduce delay and backlog, permit more litigants oral argument before the courts, and issue written opinions in more cases.

The challenge for the appellate courts for the next few years will be to maintain this high standard of performance. The rising caseload of the court of appeals demands additional judicial resources if it is to keep pace. It is imperative that a significant backlog of cases never be allowed to develop because such a situation can be very difficult to reverse. Other states which have found themselves in this position have had to develop modifications to traditional procedures of handling cases, such as limiting oral argument, or imposing other restrictions and shortcuts which adversely affect the quality of the judicial process.

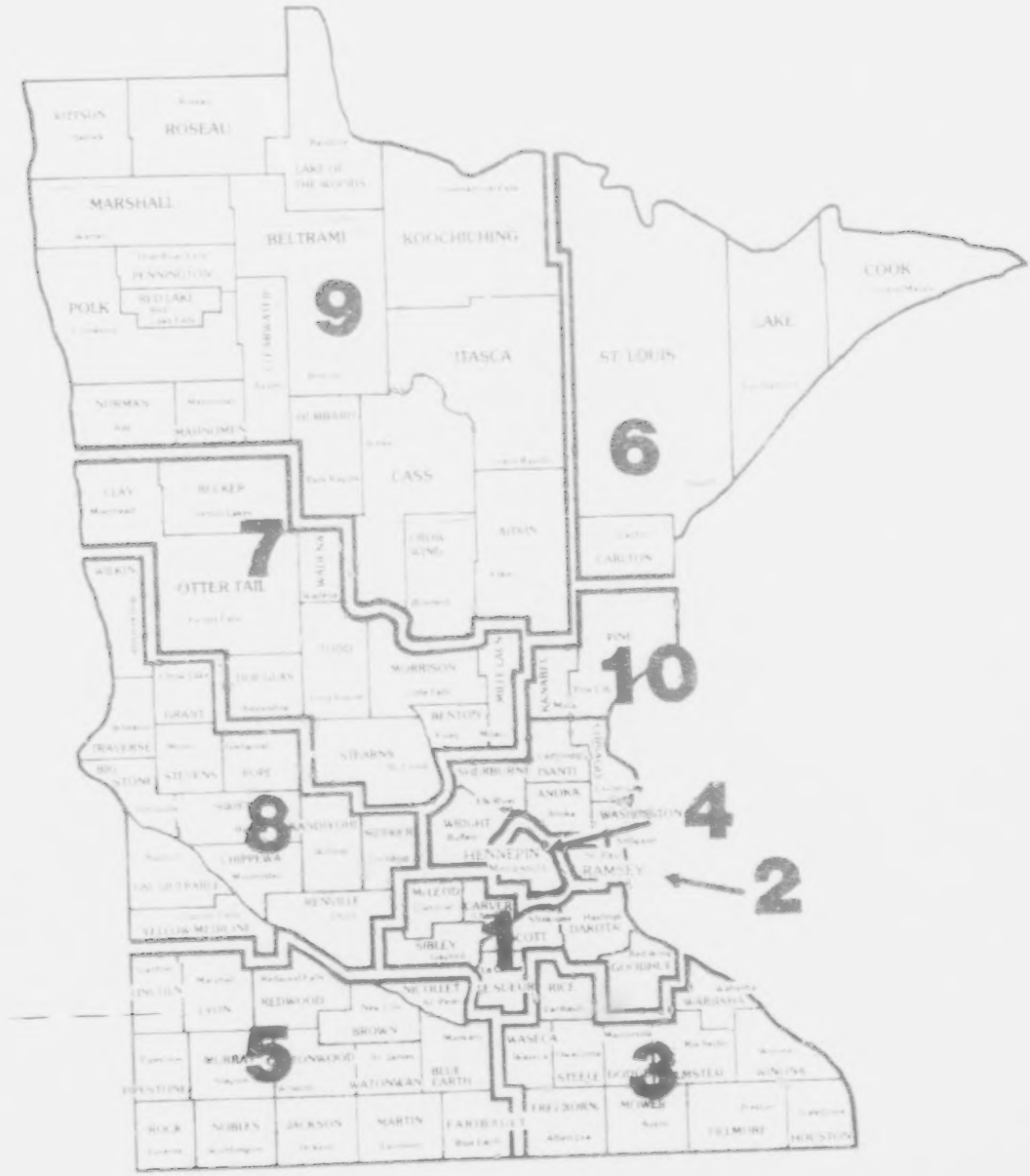
It is important that a high quality of justice be maintained in the appellate courts. With sufficient judicial resources, complemented by technological innovations and effective caseload management, Minnesota appellate courts will continue to achieve that objective.

TRIAL COURTS

TRIAL COURTS

The district court has original statewide trial court jurisdiction in all civil and criminal actions in Minnesota. There are 225 district court judges in the state. A local court administrator manages court operations in each county. The counties are organized for administrative purposes into ten judicial districts. Each district is administered by a chief judge and assistant chief judge with the aid of a judicial district administrator.

Figure 12. Minnesota Judicial Districts



Caseload, Workload and Caseflow

Managing caseload, workload and caseflow is the essence of court management. These three are key elements in the efficient administration of the judicial process.

Caseload is simply a count of cases filed, disposed, pending, etc. It is the commodity with which the court deals. Current reporting periods can be compared with previous periods to determine whether caseloads are changing over time, and whether management decisions need to be made regarding the deployment of resources.

Workload is defined as all matters, including caseload, handled by a court that involve time and effort. In addition to deciding cases, judges must perform other activities, including traveling to court in other counties, performing judicial administrative duties, performing marriage ceremonies, and addressing civic and school groups. Non-judicial personnel are involved in the administrative tasks associated with managing the court, including securing and deploying adequate physical resources, clerical activities associated with case processing, computer data entry and maintenance, and reporting functions. Workload is the effort required to dispose of the caseload.

Caseflow is the process by which cases move through the court from filing to final disposition. The management element focuses on the time lapse between significant events of individual cases and the courts caseload as a whole.

This section discusses the trial court's performance in terms of these three key measures.

Major Case Filings Continue to Increase

About two million cases are filed in the state's trial courts each year. Minor case types, including parking, traffic and non-traffic misdemeanors and petty misdemeanors, and conciliation court cases, account for almost 90% of the total. Minor cases require very little judge time, on average, but require almost as much administrative and clerical time and effort as major cases.

Major civil and criminal cases account for over 10% of the total number of cases filed.[1] In 1987, as seen in Table 11, there were 231,493 major case filings. This represents an increase of 11%, or about 12,000 cases, over 1986.[2] Since 1985, major cases have increased by about 22%.

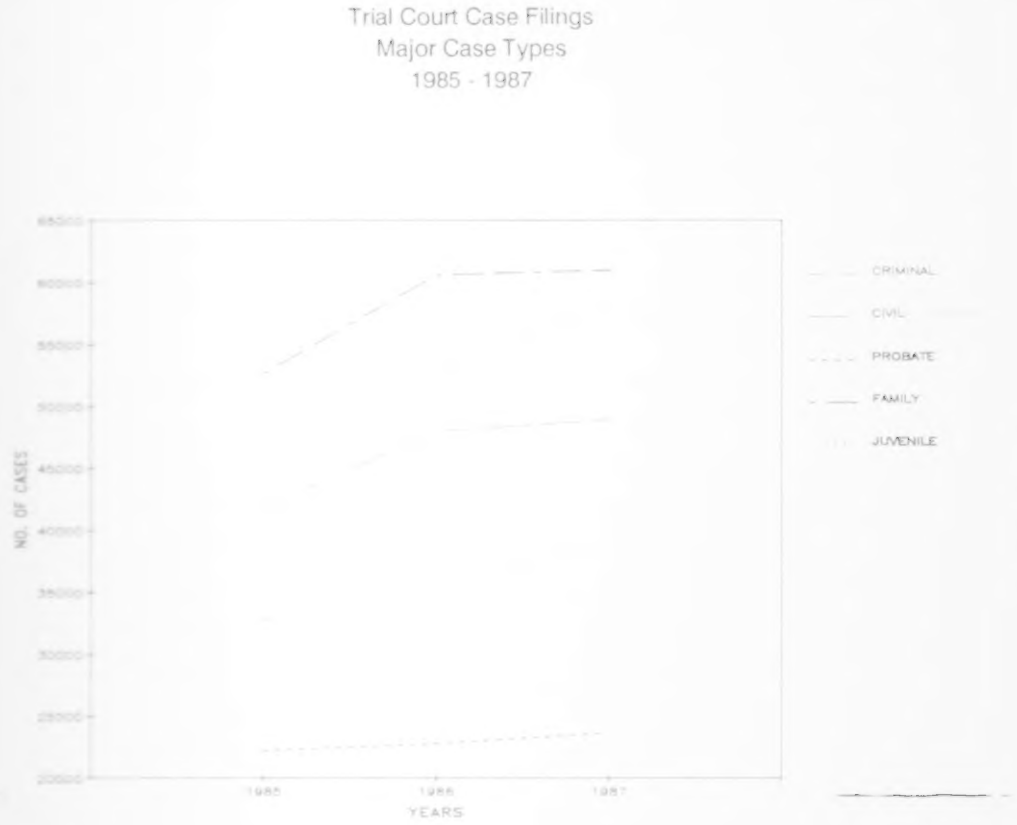
Table 11. Trial Court Case Filings 1985-87

	Number of Cases			Percent Change		
Case Type	1985	1986	1987	1985-1986	1986-1987	1985-1987
Minor Case Types						
Parking	874,029	876,411	816,154	0%	-7%	-7%
Traffic	625,853	827,236	664,794	32%	-20%	6%
Juv traffic	14,719	16,459	17,957	12%	9%	22%
Misdemeanors	113,014	123,020	128,101	9%	4%	13%
Conciliation	99,985	102,873	97,048	3%	-6%	-3%
Total	1,727,600	1,945,999	1,724,054	13%	-11%	-0%
Major case types						
Criminal	32,774	35,170	39,515	7%	12%	21%
Civil	41,759	47,980	48,926	15%	2%	17%
Probate	22,238	22,810	23,665	3%	4%	6%
Family	52,670	60,589	60,965	15%	1%	16%
Juvenile	47,581	52,651	58,422	11%	11%	23%
Total	197,022	219,200	231,493	11%	6%	17%
Grand Total	1,924,622	2,165,199	1,955,547	12%	-10%	22%

1 Filings are defined here as case activations plus case reactivations. Cases are "activated" upon an activating event: in criminal cases, the event is the first appearance; in civil cases, the event is a note of issue, party ready for trial, or any hearing; in juvenile, probate and minor cases, the case is activated upon filing. Case activations are a more uniform and valid measure of the workload before a court than new filings.

2 Criminal includes both felonies and gross misdemeanors. The data represent individual cases and include all charges associated with a single complaint.

Figure 13. Trial Court Major Case Filings 1985-1987



Trial Court Backlog Grows

A useful summary statistic for gauging the performance of courts is the clearance rate. This is defined as the number of dispositions during a given period divided by the number of filings times 100. It expresses the extent to which the court has kept up on its caseload. If the ratio is greater than 100%, the court disposed of more cases than entered the system; it is gaining on its backlog. If less than 100%, the court is losing ground and developing a backlog.

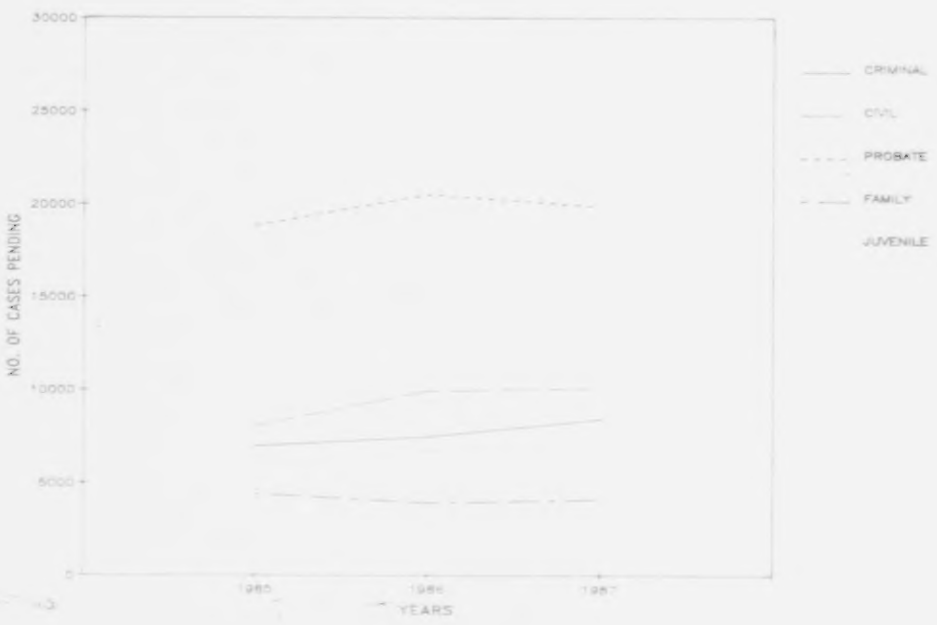
Table 12 shows the number of filings, dispositions, pending cases and clearance rates for the period 1985-1987. During 1986, the state trial courts disposed of 98% of its caseload. In 1987, this was increased to 99% of the caseload.

Yet, despite a significant increase last year in ~~the~~ number of cases disposed by the trial courts, dispositions were outpaced by the number of new cases filed. Thus, the trial court backlog increased. This continues a trend of increasing backlog which has emerged in recent years. Between 1985 and 1987, the number of pending cases increased by 12%.

Table 12. Trial Court Filings, Dispositions and Pending Cases 1985-1987

Case Type	Number of Cases			Percent Change		
	1985	1986	1987	1985-1986	1986-1987	1985-1987
Criminal						
filed	32,774	35,170	39,515	7%	12%	21%
disposed	32,967	34,684	38,570	5%	11%	17%
pending	6,989	7,475	8,420	7%	13%	20%
clearance	101%	99%	98%			
Civil						
filed	41,759	47,980	48,926	15%	2%	17%
disposed	41,910	46,115	48,785	10%	6%	16%
pending	8,049	9,914	10,055	23%	1%	25%
clearance	100%	96%	100%			
Probate						
filed	22,238	22,810	23,665	3%	4%	6%
disposed	21,710	21,134	24,351	-3%	15%	12%
pending	18,860	20,536	19,850	9%	-3%	5%
clearance	98%	93%	103%			
Family						
filed	52,670	60,589	60,965	15%	1%	16%
disposed	53,113	61,097	60,745	15%	-1%	14%
pending	4,396	3,888	4,108	-12%	6%	-7%
clearance	101%	101%	100%			
Juvenile						
filed	47,581	52,651	58,422	11%	11%	23%
disposed	47,075	51,867	57,864	10%	12%	23%
pending	5,875	6,659	7,217	13%	8%	23%
clearance	99%	99%	99%			
Total						
filed	197,022	219,200	231,493	11%	6%	17%
disposed	196,775	214,897	230,315	9%	7%	17%
pending	44,169	48,472	49,650	10%	2%	12%
clearance	100%	98%	99%			

Figure 14. Pending Caseload for Major Civil and Criminal Case Types in the Trial Courts 1985-1987



Median Case Processing Time Steady

Trial court case processing time objectives were established by the Conference of Chief Judges in 1985. Since 1984, the trial court's performance has been monitored in relation to the time objectives.

The time standards are specified in both medians and maximums. The median standards specify a number at which half the cases ought to take a shorter amount of time and half the cases ought to take a longer time. The maximum time objectives specify a number at which no, or very few, cases ought to take a longer amount of time.

Table 13 gives actual median case processing times for the trial courts. For the most part, the median times are within the time objectives, and have been remarkably stable for the last three years, even in the face of rising caseloads.

Table 13. Median Days from Filing to Disposition 1985-1987

	Median			Percent Change		
Case Type	1985	1986	1987	1985-1986	1986-1987	1985-1987
Civil Jury	224	228	231	2%	1%	3%
Civil Non-Jury	153	140	149	-8%	6%	-3%
Felony	91	91	97	0%	7%	7%
Gross Misdemeanor	57	55	55	-4%	0%	-4%
Delinquency	29	30	29	3%	-3%	0%
Dependency/Neglect	50	41	40	-18%	-2%	-20%
Term Par Rights	36	37	42	3%	14%	17%

For civil jury cases, the standards specify a median of 210 days; in 1987, the trial courts disposed of these cases in 231 days. For civil non-jury cases the standard is 120 days; in 1987 the trial courts disposed of these cases in 149 days.

Criminal cases have always been handled well within the time objectives. For felony cases, the objective is 110 days while the actual median time is 97 days. For gross misdemeanors, the objective is 90 days and the courts are disposing of these cases in 55 days.

Juvenile cases are also handled well within the time objectives. There are separate objectives for juveniles in custody and those not in custody. For delinquency cases, the objective is 35

days for youths in custody and 45 days for those not in custody. Overall, delinquency cases are disposed of in a median time of 29 days.

Dependency/neglect cases are disposed of in a median time of 40 days, while the standard is 60 days for out-home placements and 90 days for in-home placements. For termination of parental rights cases, the time objective is 90 days; these cases are disposed of in 38 days.

Criminal and juvenile objectives continue to be met, but the civil objectives appear more elusive. This is perhaps due to a variety of factors, including the presence of rules of procedure for criminal and juvenile cases requiring cases to be processed according to a specific schedule. Many courts take a more active role in processing criminal and juvenile cases in order to keep the cases moving through the system. As time goes on, witnesses' memories fade and cases are more difficult to make. If the defendant is in custody, costs of confinement increase; if the defendant is out on bail, there is more opportunity to abscond. Therefore, it is much more desirable to get the case through the system as quickly as possible.

It is only in the last few years that courts have come to actively manage civil cases. In the past, these were considered to be private disputes, and the responsibility of the attorneys and litigants to press their cases, if they want them tried.

Many courts are now taking a more active role in managing civil cases. This includes setting time intervals for completing discovery and hearing motions, early tracking of the case events, encouraging the parties to settle, and setting certain trial dates. With these improvements in caseload management, further improvements in caseflow processing statistics should follow.

Information on the number of cases filed, disposed and pending in each county and judicial district in 1987 appear at Appendix A.

Trial Rates

Approximately 5% of all major trial court cases are disposed by jury trial or court trial. As shown in Table 14, the rate varies by case type, with less than 2% of family court cases being disposed by trial and almost 9% of general civil cases being disposed by trial.

Table 14. Dispositions and Trial Rates in Trial Courts 1985-87

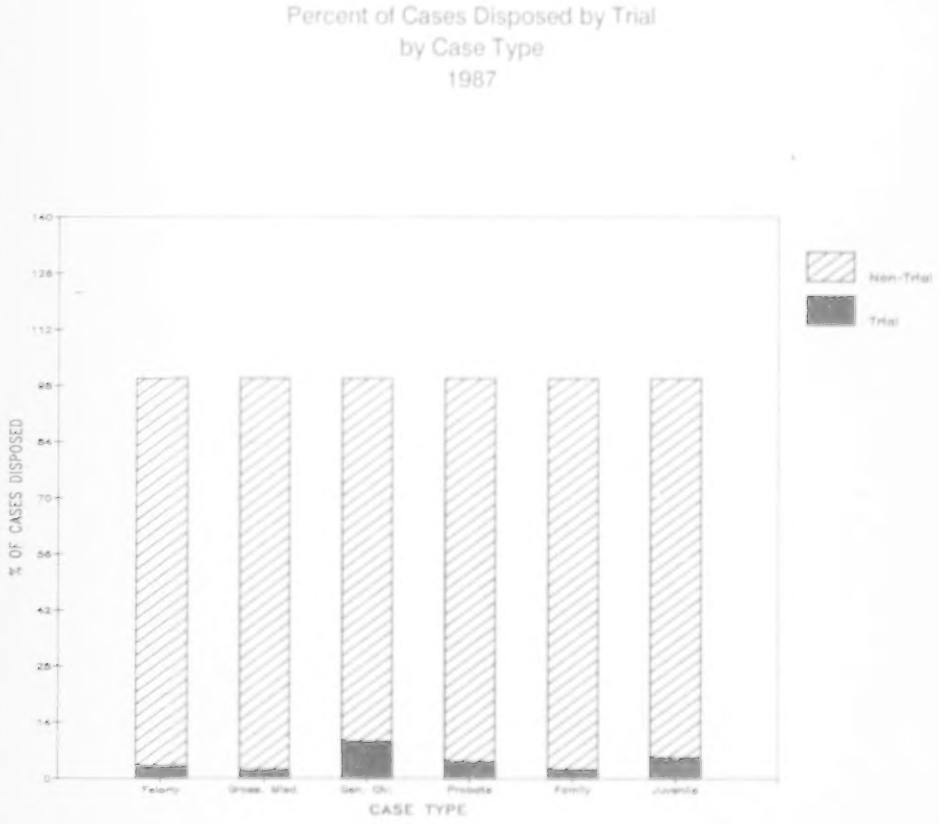
	Year			Percent Change		
Case Type	1985	1986	1987	1985-1986	1986-1987	1985-1987
Number of Cases Disposed/Deactivated						
Felony	19,221	19,656	21,127	2%	7%	10%
Gross Misdemeanor	13,746	15,028	17,443	9%	16%	27%
General Civil	40,739	45,035	47,811	11%	6%	17%
Probate	21,710	21,134	24,351	-3%	15%	12%
Family	53,113	61,097	60,745	15%	-1%	14%
Juvenile	47,075	51,867	57,864	10%	12%	23%
Totals	195,604	213,817	229,341	9%	7%	17%
Number of Cases Disposed by Trial						
Felony	769	706	652	-8%	-8%	-15%
Gross Misdemeanor	452	498	376	10%	-24%	-17%
General Civil	4,556	4,164	4,192	-9%	1%	-8%
Probate	825	784	1,038	-5%	32%	26%
Family	1,112	1,129	967	2%	-14%	-13%
Juvenile	2,645	2,927	2,932	11%	0%	11%
Totals	10,359	10,208	10,157	-1%	-0%	-2%
Percent of Cases Disposed by Trial						
Felony	4.0%	3.6%	3.1%	-10%	-14%	-23%
Gross Misdemeanor	3.3%	3.3%	2.2%	1%	-35%	-34%
General Civil	11.2%	9.2%	8.8%	-17%	-5%	-22%
Probate	3.8%	3.7%	4.3%	-2%	15%	12%
Family	2.1%	1.8%	1.6%	-12%	-14%	-24%
Juvenile	5.6%	5.6%	5.1%	0%	-10%	-10%
Totals	5.3%	4.8%	4.4%	-10%	-7%	-16%

In the general civil area, which includes personal injury, contract, wrongful death, malpractice, property damage, condemnation, unlawful detainer, implied consent, conciliation appeals, and other cases, the type of case most often disposed of by trial is, surprisingly, implied consents.

Implied consents are civil actions arising from arrests for DWI. Almost half of these cases are disposed of by court trial.

In 1987, Minnesota's judges conducted 10,157 trials. While the percentage of cases disposed by trial has decreased from 5.3% to 4.4% over the last several years, the actual number of trials has decreased only slightly, by about 200 cases. This is so because the total number of cases disposed by Minnesota trial courts has increased by 17% in the last two years, an increase of almost 35,000 cases.

Figure 15. Percent of Cases Disposed by Trial by Case Type 1985-1987



Judge Need Increases

During 1986, the weighted caseload study (WCL) was completed in order to estimate the number of judges needed to handle the trial court caseload. This comprehensive nine week survey of judicial time measured all judicial work, both case and non-case related, performed by all state trial judges.[1]

The WCL analysis provides an objective measure of the judicial workload of the courts. It serves as a tool for policy makers to provide for the rational deployment of judgeships according to existing workload needs. Since different types of cases require and receive different amounts of judicial attention, the application of weights to case filings provides a more useful measure of workload then does the mere number of cases filed. Each year the weights are applied to new case filings in order to calculate judicial need. Table 15 shows the judicial need calculations for 1986 and 1987.

Table 15. Judicial Need 1987

	Actual Judicial Positions				Judicial Need	
District	Actual	Funded	Autho-rized	Total	Judge Need	1988 Shortage
First	23	1	2	26	26	0
Second	32.2			32.2	34	1.8
Third	22.5			22.5	21	-1.5
Fourth	63	3	5	71	73	2
Fifth	18			18	17	-1
Sixth	16	1		16	16	0
Seventh	19		1	20	21	1
Eighth	12			12	10	-2
Ninth	20			20	20	0
Tenth	27	1	2	30	32	2
State	252.7	6	10	267.7	270	2.3

Note: The judgeship in the Sixth district will replace a judicial officer.

1 See 1986 Minnesota Weighted Caseload Study. St Paul: Research & Planning Office, State Court Administration, April, 1987.

Table 15 shows the actual number of judicial positions, including full-time equivalent referees and judicial officers, for each district, along with the judicial need calculations from the weighted caseload study. Based on the 1986 WCL results, the legislature in 1987 created twenty-one new judgeships to be phased in over a four-year period. Eleven of these judgeships were funded in the current biennium, and ten are authorized but have to be funded in the next biennium.

After July 1, 1987, when five new judicial positions were filled, the state had a total of 252.7 judicial positions. Six additional positions have been funded by the legislature; five are effective July 1, 1988, and one is effective January 1, 1989. Ten additional positions have been authorized by the legislature but are to be funded during the 1989 legislative session.

Since the authorization of these judgeships by the legislature, increases in judicial workload have led to an additional need for judges in the Second, Fourth, Seventh, and Tenth districts. Assuming no judgeships were transferred to meet these needs, seven new judgeships would be required to meet these additional needs.

In addition to calculating judicial need, the WCL provides a wealth of information useful in managing the trial courts. WCL results are used in, for example, assigning retired judges for temporary assignments, conducting workload analyses for assignment and calendar planning, designating chambers assignments, judicial district redistricting, and cross-district judge assignment.

Judicial Work by Type of Case

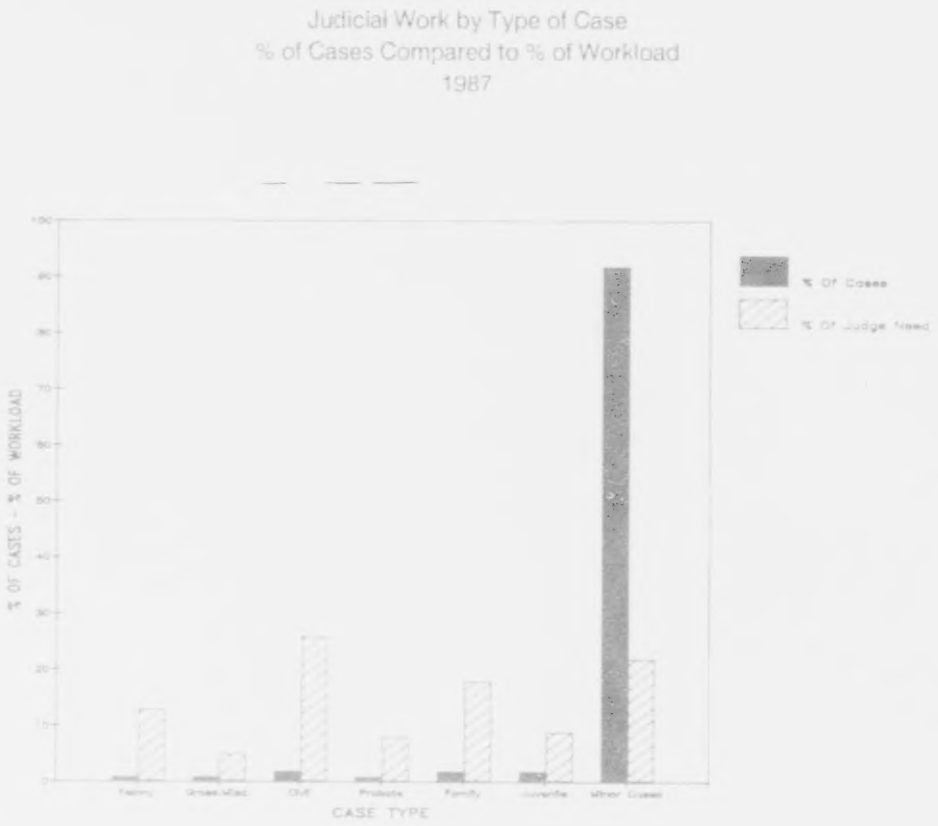
The number of cases filed or disposed by a court is a raw indicator of the amount of judicial work before the court. For this reason, the weighted caseload study is completed in order to estimate the amount of judge time needed to dispose of the caseload. Table 16 shows the percentage of total caseload and workload for each case type for 1986 and 1987. While the total number of cases decreased by 2% in 1987, the total judicial workload actually **increased** by 3%.

Table 16. Judicial Work by Type of Case 1986-87

	Number of Cases					Judge Need				
	1986		1987			1986		1987		
Case Type	Cases	Pct	Cases	Pct	Pct Chg	Need	Pct	Need	Pct	Pct Chg
Felony	12,366	0.7%	13,008	0.7%	5%	31.2	12.3%	32.8	12.6%	5%
Gross Misd	12,122	0.6%	12,974	0.7%	7%	10.9	4.3%	11.7	4.5%	7%
Civil	37,563	2.0%	38,771	2.1%	3%	66.9	26.5%	67.8	26.1%	1%
Probate	16,440	0.9%	17,035	0.9%	4%	18.6	7.4%	20.1	7.7%	8%
Family	33,922	1.8%	33,510	1.8%	-1%	48.3	19.1%	47.9	18.4%	-1%
Juvenile	32,136	1.7%	34,078	1.8%	6%	20.6	8.1%	22.0	8.5%	7%
Minor Cases	1,745,999	92.4%	1,701,540	91.9%	-3%	56.3	22.3%	57.7	22.2%	2%
Total	1,890,548	100%	1,850,916	100%	-2%	252.8	100%	260.0	100%	3%

Table 16 shows, for example, that minor cases comprise about 92% of the total caseload in the trial courts but only about 22% of the total workload. Similarly, felony cases comprise less than 1% of the total caseload, but 13% of the total workload. When looking at increases in caseload, then, it is important to note the case types in which the changes have occurred. A numerical increase of 500 traffic misdemeanors will not affect judicial need resources in a significant way, but a numerical increase of 500 felonies will make a big difference.

Figure 16. Judicial Work by Case Type



How is judicial time spent? Figure 17 shows that judges spend roughly 40% of their time on the bench, hearing and trying cases. Another 23% of their time is spent off the bench doing case-related work and 14% of their time is spent on other non-bench case related work. Non-case related activities, such as travel and administrative duties, account for about 22% of judicial time.

Figure 18 breaks out case related time by category. About 50% of all case-related time is spent on the bench.

Figure 17. Total Judge Time by Category

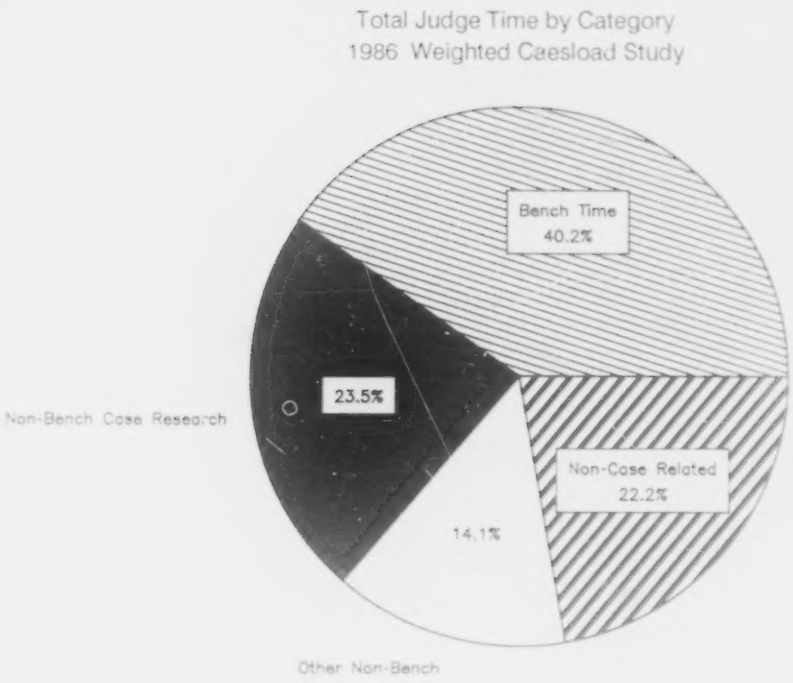
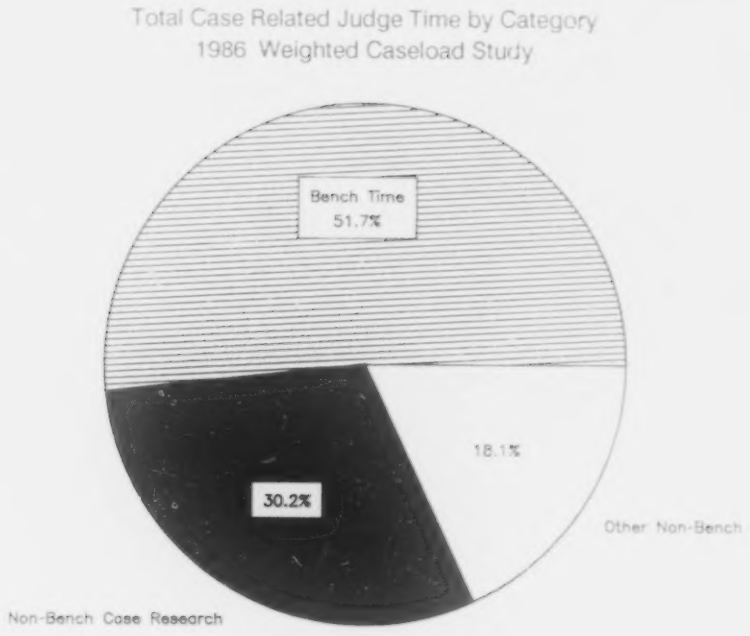


Figure 18. Total Case Related Judge Time By Category



Conclusion

Caseloads in the trial courts have continued to increase over the past two years. While the trial courts have significantly increased the rate of dispositions, the number of pending cases continues to rise. If these trends continue, greater problems of backlog and delay of cases will emerge.

New programs and changes are already underway to deal with this. By the end of 1987, all trial courts in the State of Minnesota were unified into a single district court system. Any judge can now hear any type of case. Inefficiencies relating to the geographical distribution of district and county court judges will be reduced over time. Many jurisdictions are developing new programs in the area of case calendaring and scheduling, and delay reduction programs have been implemented in all ten judicial districts.

Five additional judgeships will be added in July, 1988, one in January, 1989, and ten more judgeships, pending funding by the legislature, will be added during the next biennium. These additional judicial resources are greatly needed in those areas where caseloads are growing rapidly.

Thus, while the efforts of Minnesota's trial judges and court personnel have significantly increased the number of cases closed and have reduced the delay in disposing of those cases in 1987 over the previous year, case filings have risen at an even faster rate. It is important that these trends be understood, and action taken to secure and deploy the judicial resources necessary to maintain a high quality of justice in Minnesota.

CHIEF JUDGES
MINNESOTA TRIAL COURTS

Judge Bruce R. Douglas
Tenth Judicial District
Chair,
Conference of Chief Judges

Judge Lawrence T. Collins
Third Judicial District
Vice-Chair,
Conference of Chief Judges

Judge George H. Hocy
First Judicial District

Judge J. Jerome Plunkett
Second Judicial District

Judge Peter J. Lindberg
Fourth Judicial District

Judge Richard L. Kelly
Fifth Judicial District

Judge David E. Ackerson
Sixth Judicial District

Judge Paul G. Hoffman
Seventh Judicial District

Honorable Richard A. Bodger
Eighth Judicial District

Judge Donald E. Shanahan
Ninth Judicial District

Minnesota Conference Of Chief Judges

The Conference of Chief Judges has the primary responsibility for studying the operations of the trial courts and making recommendations, formulating policies, proposing legislation and taking such further actions it deems appropriate to improve the administration of justice in the trial courts of this state. The Conference is comprised of chief judges and assistant chief judges of the ten judicial districts. Each is selected to the position by the judges of the district.

The Conference is divided into four committees, each of which has unique responsibilities. In 1987, the Administration Committee has considered a myriad of diverse issues; among them the problems created by unification, including the size of election districts.

The Caseflow Management Committee continually studies case-processing performance and monitors a major statewide delay reduction project which has identified delay problems on a district level and proposed solutions suited to the local district.

The Personnel Committee has undertaken a comprehensive study of the personnel structure of the courts. Questions of supervision, responsibility, liability, and representation have arisen frequently over the past two years as the trial courts have unified. The Committee also reviews uniform personnel descriptions for the various employees of the court system. The Committee recently approved position descriptions for the positions of judicial district administrator and court administrator and is working on a uniform description of the duties and responsibilities of the chief judge, assistant chief judge and trial judge.

The Legislative Committee is responsible for coordinating the legislative activities of the trial courts and presenting the legislative recommendations of the Conference and the trial courts to the legislature. The most significant piece of legislation presented by the committee in 1987 was the request for 20 additional trial court judges. The Committee (working with the state court administrator's office, the legislative committees and representatives of the trial judges associations and the state bar association), using data from the 1986 weighted caseload analysis, successfully justified the entire request to the legislature.

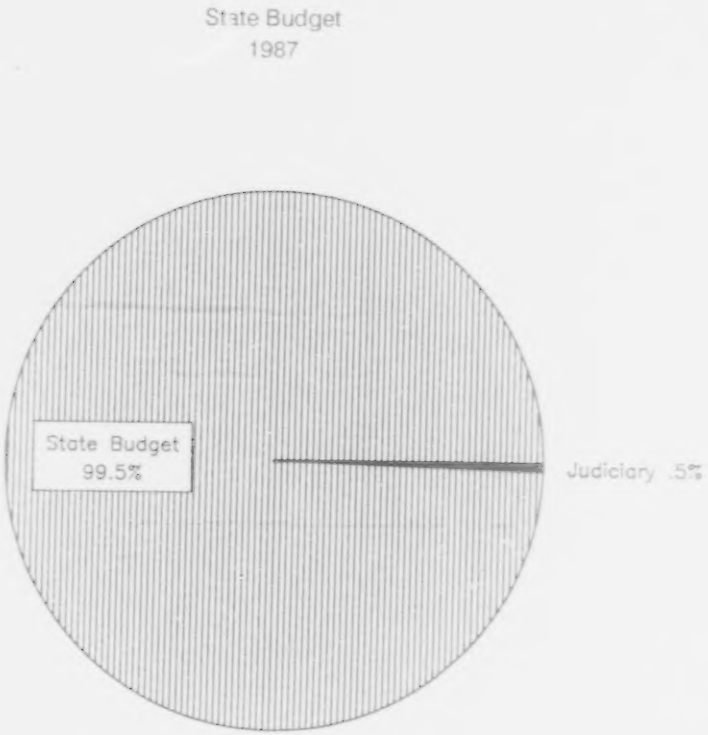
In 1987 the Conference operated under the able guidance of its chairperson and vice-chairperson, Judges Bruce L. Douglas and Lawrence T. Collins.

JUDICIAL EXPENDITURES AND REVENUES

Judicial System Constitutes Fraction of State Budget

In 1987 the total state budget was $5,753,958,800. The state-funded judicial budget, $29,139,452, represented a fraction of the entire state budget, approximately one-half of one percent.

Figure 19. State Budget 1987



Judicial Expenditures: Costs Shared By State & Counties

Funding of the state court system comes from two primary sources: county government and state government. Generally each county is responsible for trial court operations including the cost of court administrator personnel, operating expenses, facilities and capital outlay. The state supplements the trial court budget by the payment of the salaries, benefits, and expenses of the trial judges and the salaries and benefits of the district administrators.

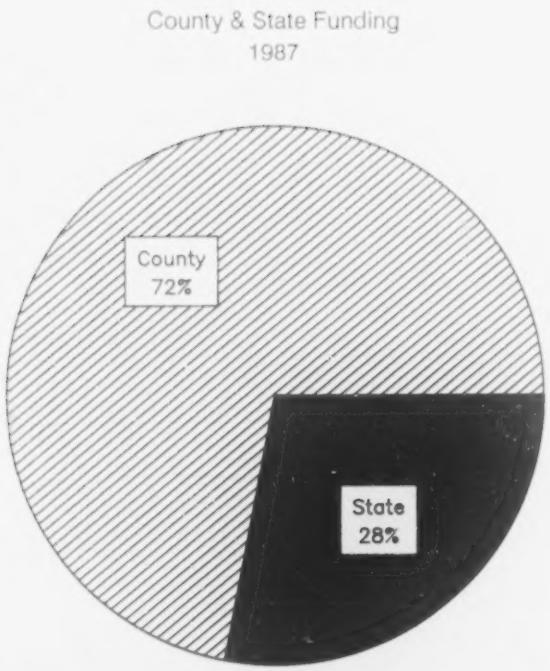
The state is also responsible for funding all state level operations of the court system, including the Supreme Court, Court of Appeals, State Court Administrator, and State Law Library.

The cost of maintaining the state court system during 1987 was approximately $104,450,407.

Judicial Expenditures

County Funding		State Funding	
Personnel	$57,726,029	Supreme Court	$ 2,681,591
Jury Fees	2,933,355	Ct. of Appeals	3,561,200
Witness Fees	232,002	Trial Cts.	18,294,104
Professional	5,635,382	State Ct. Admin.	3,860,976
Operating Exp.	7,017,212	Law Library	741,581
Capital Exp.	813,296		$29,139,452
Other	953,679		
	$75,310,955		

Figure 20. Judicial System Funding

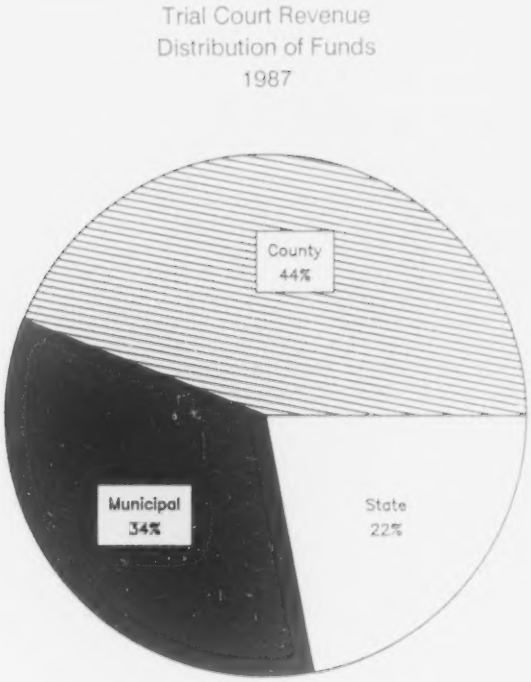


Trial Court Revenues Shared

In 1987, $67,507,821 was collected by the trial courts from fees, fines and surcharges. These funds are distributed to municipal, county and state governments: municipalities receive a portion of fines collected as reimbursement for prosecuting criminal offenses; county government receives fees and a portion of the fines collected; the state receives various surcharges which fund special programs and a portion of the fines collected.

The proportional distribution of trial court revenues is depicted below:

Figure 21. Trial Court Revenues



County Government	=	$29,939,317
Municipal Government	=	$22,985,455
State Government	=	$14,583,049
		$67,507,821

Appendix A.
Pending Caseloads by Case Type and Judicial District

Figure A-1. Pending Caseloads by Case Type and Judicial District

First District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed[1]	3,064	3,475	3,821	13%	10%	25%
Disposed	3,086	3,303	3,889	7%	18%	26%
Pending	655	827	759	26%	-8%	16%
Clearance Rate	101%	95%	102%			
Civil						
Filed	3,478	4,071	4,365	17%	7%	26%
Disposed	3,566	3,975	4,461	11%	12%	25%
Pending	759	855	759	13%	-11%	0%
Clearance Rate	103%	98%	102%			
Probate						
Filed	1,373	1,498	1,672	9%	12%	22%
Disposed	1,265	1,386	1,629	10%	18%	29%
Pending	1,390	1,502	1,545	8%	3%	11%
Clearance Rate	92%	93%	97%			
Family						
Filed	4,147	4,847	4,583	17%	-5%	11%
Disposed	4,233	4,782	4,651	13%	-3%	10%
Pending	416	481	413	16%	-14%	-1%
Clearance Rate	102%	99%	101%			
Juvenile						
Filed	3,438	4,040	4,354	18%	8%	27%
Disposed	3,463	3,908	4,422	13%	13%	28%
Pending	301	433	365	44%	-16%	21%
Clearance Rate	101%	97%	102%			
Total						
Filed	15,500	17,931	18,795	16%	5%	21%
Disposed	15,613	17,354	19,052	11%	10%	22%
Pending	3,521	4,098	3,841	16%	-6%	9%
Clearance Rate	101%	97%	101%			

1 Filings are defined here as case activations plus case reactivations. Cases are "activated" upon an activating event: in criminal cases, the event is the first appearance; in civil cases the event is a note of issue, party ready for trial, or any hearing; in juvenile, probate and minor cases, the case is activated upon filing. Case activations are a more uniform and valid measure of the workload before a court than new filings. Note: major case types only are included in this table.

Figure A-1. Pending Caseloads by Case Type and Judicial District

Second District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	3,943	4,229	4,161	7%	-2%	6%
Disposed	3,992	4,273	3,639	7%	-15%	-9%
Pending	968	924	1,446	-5%	56%	49%
Clearance Rate	101%	101%	87%			
Civil						
Filed	6,386	7,162	7,115	12%	-1%	11%
Disposed	6,139	6,901	6,486	12%	-6%	6%
Pending	2,151	2,412	3,041	12%	26%	41%
Clearance Rate	96%	96%	91%			
Probate						
Filed	2,187	2,368	2,740	8%	16%	25%
Disposed	2,463	1,975	2,734	-20%	38%	11%
Pending	2,259	2,652	2,658	17%	0%	18%
Clearance Rate	113%	83%	100%			
Family						
Filed	6,654	8,341	9,373	25%	12%	41%
Disposed	6,819	8,928	9,197	31%	3%	35%
Pending	1,147	560	736	-51%	31%	-36%
Clearance Rate	102%	107%	98%			
Juvenile						
Filed	9,946	8,934	8,920	-10%	-0%	-10%
Disposed	9,968	8,965	8,856	-10%	-1%	-11%
Pending	487	456	520	-6%	14%	7%
Clearance Rate	100%	100%	99%			
Total						
Filed	29,116	31,034	32,309	7%	4%	11%
Disposed	29,381	31,042	30,912	6%	-0%	5%
Pending	7,012	7,004	8,401	-0%	20%	20%
Clearance Rate	101%	100%	96%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Third District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	2,114	2,407	2,519	14%	5%	19%
Disposed	2,202	2,291	2,540	4%	11%	15%
Pending	531	647	626	22%	-3%	18%
Clearance Rate	104%	95%	101%			
Civil						
Filed	1,990	2,004	2,068	1%	3%	4%
Disposed	1,949	1,956	2,244	0%	15%	15%
Pending	619	667	491	8%	-26%	-21%
Clearance Rate	98%	98%	109%			
Probate						
Filed	2,108	2,258	2,391	7%	6%	13%
Disposed	1,967	2,255	2,447	15%	9%	24%
Pending	1,981	1,984	1,928	0%	-3%	-3%
Clearance Rate	93%	100%	102%			
Family						
Filed	4,132	4,468	4,792	8%	7%	16%
Disposed	4,125	4,437	4,881	8%	10%	18%
Pending	414	445	356	7%	-20%	-14%
Clearance Rate	100%	99%	102%			
Juvenile						
Filed	3,392	3,863	4,560	14%	18%	34%
Disposed	3,389	3,925	4,431	16%	13%	31%
Pending	462	400	529	-13%	32%	15%
Clearance Rate	100%	102%	97%			
Total						
Filed	13,736	15,000	16,330	9%	9%	19%
Disposed	13,632	14,864	16,543	9%	11%	21%
Pending	4,007	4,143	3,930	3%	-5%	-2%
Clearance Rate	99%	99%	101%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Fourth District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	9,059	9,723	11,471	7%	18%	27%
Disposed	9,279	9,935	10,793	7%	9%	16%
Pending	1,957	1,745	2,423	-11%	39%	24%
Clearance Rate	102%	102%	94%			
Civil						
Filed	17,269	20,993	21,372	22%	2%	24%
Disposed	17,640	19,596	21,402	11%	9%	21%
Pending	2,341	3,738	3,708	60%	-1%	58%
Clearance Rate	102%	93%	100%			
Probate						
Filed	5,895	5,614	5,439	-5%	-3%	-8%
Disposed	5,704	5,379	5,695	-6%	6%	-0%
Pending	4,119	4,354	4,098	6%	-6%	-1%
Clearance Rate	97%	96%	105%			
Family						
Filed	15,211	17,248	17,741	13%	3%	17%
Disposed	15,263	17,272	17,454	13%	1%	14%
Pending	924	900	1,187	-3%	32%	28%
Clearance Rate	100%	100%	98%			
Juvenile						
Filed	10,152	12,627	14,439	24%	14%	42%
Disposed	9,568	12,117	14,487	27%	20%	51%
Pending	2,489	2,999	2,951	20%	-2%	19%
Clearance Rate	94%	96%	100%			
Total						
Filed	57,586	66,205	70,462	15%	6%	22%
Disposed	57,454	64,299	69,831	12%	9%	22%
Pending	11,830	13,736	14,367	16%	5%	21%
Clearance Rate	100%	97%	99%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Fifth District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	1,637	1,664	1,585	2%	-5%	-3%
Disposed	1,608	1,666	1,559	4%	-6%	-3%
Pending	329	327	353	-1%	8%	7%
Clearance Rate	98%	100%	98%			
Civil						
Filed	1,534	1,692	1,671	10%	-1%	9%
Disposed	1,558	1,772	1,702	14%	-4%	9%
Pending	367	287	255	-22%	-11%	-30%
Clearance Rate	102%	105%	102%			
Probate						
Filed	2,419	2,353	2,446	-3%	4%	1%
Disposed	2,331	2,179	2,504	-7%	15%	7%
Pending	2,225	2,399	2,341	8%	-2%	5%
Clearance Rate	96%	93%	102%			
Family						
Filed	2,670	2,767	2,517	4%	-9%	-6%
Disposed	2,688	2,812	2,527	5%	-10%	-6%
Pending	232	187	177	-19%	-5%	-24%
Clearance Rate	101%	102%	100%			
Juvenile						
Filed	2,038	2,354	2,546	16%	8%	25%
Disposed	2,021	2,391	2,420	18%	1%	20%
Pending	236	199	325	-16%	63%	38%
Clearance Rate	99%	102%	95%			
Total						
Filed	10,298	10,830	10,765	5%	-1%	5%
Disposed	10,206	10,820	10,712	6%	-1%	5%
Pending	3,389	3,399	3,452	0%	2%	2%
Clearance Rate	99%	100%	100%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Sixth District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	1,727	1,699	1,749	-2%	3%	1%
Disposed	1,648	1,702	1,777	3%	4%	8%
Pending	383	380	352	-1%	-7%	-8%
Clearance Rate	95%	100%	102%			
Civil						
Filed	1,488	1,611	1,762	8%	9%	18%
Disposed	1,548	1,628	1,710	5%	5%	10%
Pending	291	274	326	-6%	19%	12%
Clearance Rate	104%	101%	97%			
Probate						
Filed	1,203	1,408	1,413	17%	0%	17%
Disposed	1,186	1,315	1,594	11%	21%	34%
Pending	1,071	1,164	983	9%	-16%	-8%
Clearance Rate	99%	93%	113%			
Family						
Filed	3,805	5,916	4,607	55%	-22%	21%
Disposed	3,833	5,890	4,556	54%	-23%	19%
Pending	288	314	365	9%	16%	27%
Clearance Rate	101%	100%	99%			
Juvenile						
Filed	4,636	4,844	5,681	4%	17%	23%
Disposed	4,624	4,832	5,644	4%	17%	22%
Pending	225	237	274	5%	16%	22%
Clearance Rate	100%	100%	99%			
Total						
Filed	12,859	15,478	15,212	20%	-2%	18%
Disposed	12,839	15,367	15,281	20%	-1%	19%
Pending	2,258	2,369	2,300	5%	-3%	2%
Clearance Rate	100%	99%	100%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Seventh District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	3,226	3,022	3,750	-6%	24%	16%
Disposed	3,243	3,081	3,666	-5%	19%	13%
Pending	642	583	667	-9%	14%	4%
Clearance Rate	101%	102%	98%			
Civil						
Filed	2,312	2,351	2,573	2%	9%	11%
Disposed	2,237	2,297	2,688	3%	17%	20%
Pending	403	457	342	13%	-25%	-15%
Clearance Rate	97%	98%	104%			
Probate						
Filed	1,937	2,073	2,248	7%	8%	16%
Disposed	1,806	1,835	2,235	2%	22%	24%
Pending	1,599	1,837	1,850	15%	1%	16%
Clearance Rate	93%	89%	99%			
Family						
Filed	3,376	3,870	4,292	15%	11%	27%
Disposed	3,410	3,848	4,321	13%	12%	27%
Pending	153	175	146	14%	-17%	-5%
Clearance Rate	101%	99%	101%			
Juvenile						
Filed	3,372	4,227	4,520	25%	7%	34%
Disposed	3,458	4,105	4,557	19%	11%	32%
Pending	282	404	367	43%	-9%	30%
Clearance Rate	103%	97%	101%			
Total						
Filed	14,223	15,543	17,383	9%	12%	22%
Disposed	14,154	15,166	17,467	7%	15%	23%
Pending	3,079	3,456	3,372	12%	-2%	10%
Clearance Rate	100%	98%	100%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Eighth District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	858	938	883	9%	-6%	3%
Disposed	868	934	862	8%	-8%	-1%
Pending	165	169	190	2%	12%	15%
Clearance Rate	101%	100%	98%			
Civil						
Filed	954	1,260	1,015	32%	-19%	6%
Disposed	969	1,293	1,026	33%	-21%	6%
Pending	245	212	201	-13%	-5%	-18%
Clearance Rate	102%	103%	101%			
Probate						
Filed	1,453	1,502	1,450	3%	-3%	-0%
Disposed	1,497	1,492	1,529	-0%	2%	2%
Pending	1,154	1,164	1,085	1%	-7%	-6%
Clearance Rate	103%	99%	105%			
Family						
Filed	1,493	1,410	1,502	-6%	7%	1%
Disposed	1,517	1,446	1,469	-5%	2%	-3%
Pending	113	77	110	-32%	43%	-3%
Clearance Rate	102%	103%	98%			
Juvenile						
Filed	1,581	1,674	2,015	6%	20%	27%
Disposed	1,621	1,647	2,031	2%	23%	25%
Pending	148	175	159	18%	-9%	7%
Clearance Rate	103%	98%	101%			
Total						
Filed	6,339	6,784	6,865	7%	1%	8%
Disposed	6,472	6,812	6,917	5%	2%	7%
Pending	1,825	1,797	1,745	-2%	-3%	-4%
Clearance Rate	102%	100%	101%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Ninth District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	2,763	2,766	2,812	0%	2%	2%
Disposed	2,776	2,724	2,828	-2%	4%	2%
Pending	503	545	529	8%	-3%	5%
Clearance Rate	100%	98%	101%			
Civil						
Filed	1,884	1,757	1,939	-7%	10%	3%
Disposed	1,856	1,776	1,935	-4%	9%	4%
Pending	403	384	388	-5%	1%	-4%
Clearance Rate	99%	101%	100%			
Probate						
Filed	1,966	1,977	2,029	1%	3%	3%
Disposed	2,039	1,869	2,035	-8%	9%	-0%
Pending	1,553	1,661	1,655	7%	-0%	7%
Clearance Rate	104%	95%	100%			
Family						
Filed	3,649	3,727	3,468	2%	-7%	-5%
Disposed	3,640	3,716	3,474	2%	-7%	-5%
Pending	269	280	274	4%	-2%	2%
Clearance Rate	100%	100%	100%			
Juvenile						
Filed	3,008	3,452	4,068	15%	18%	35%
Disposed	3,033	3,459	3,843	14%	11%	27%
Pending	525	518	743	-1%	43%	42%
Clearance Rate	101%	100%	94%			
Total						
Filed	13,270	13,679	14,316	3%	5%	8%
Disposed	13,344	13,544	14,115	1%	4%	6%
Pending	3,253	3,388	3,589	4%	6%	10%
Clearance Rate	101%	99%	99%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Tenth District

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	4,383	5,247	6,764	20%	29%	54%
Disposed	4,265	4,775	7,017	12%	47%	65%
Pending	856	1,328	1,075	55%	-19%	26%
Clearance Rate	97%	91%	104%			
Civil						
Filed	4,464	5,079	5,046	14%	-1%	13%
Disposed	4,448	4,921	5,131	11%	4%	15%
Pending	470	628	543	34%	-14%	16%
Clearance Rate	100%	97%	102%			
Probate						
Filed	1,697	1,759	1,837	4%	4%	8%
Disposed	1,452	1,449	1,949	-0%	35%	34%
Pending	1,509	1,819	1,707	21%	-6%	13%
Clearance Rate	86%	82%	106%			
Family						
Filed	7,533	7,995	8,090	6%	1%	7%
Disposed	7,585	7,966	8,215	5%	3%	8%
Pending	440	469	344	7%	-27%	-22%
Clearance Rate	101%	100%	102%			
Juvenile						
Filed	6,018	6,636	7,319	10%	10%	22%
Disposed	5,930	6,518	7,173	10%	10%	21%
Pending	720	838	984	16%	17%	37%
Clearance Rate	99%	98%	98%			
Total						
Filed	24,095	26,716	29,056	11%	9%	21%
Disposed	23,680	25,629	29,485	8%	15%	25%
Pending	3,995	5,082	4,653	27%	-8%	16%
Clearance Rate	98%	96%	101%			

Figure A-1. Pending Caseloads by Case Type and Judicial District

Statewide

Case Type	1985	1986	1987	Percent Change 85-86	86-87	85-87
Criminal						
Filed	32,774	35,170	39,515	7%	12%	21%
Disposed	32,967	34,684	38,570	5%	11%	17%
Pending	6,989	7,475	8,420	7%	13%	20%
Clearance Rate	101%	99%	98%			
Civil						
Filed	41,759	47,980	48,926	15%	2%	17%
Disposed	41,910	46,115	48,785	10%	6%	16%
Pending	8,049	9,914	10,055	23%	1%	25%
Clearance Rate	100%	96%	100%			
Probate						
Filed	22,238	22,810	23,665	3%	4%	6%
Disposed	21,710	21,134	24,351	-3%	15%	12%
Pending	18,860	20,536	19,850	9%	-3%	5%
Clearance Rate	98%	93%	103%			
Family						
Filed	52,670	60,589	60,965	15%	1%	16%
Disposed	53,113	61,097	60,745	15%	-1%	14%
Pending	4,396	3,888	4,108	-12%	6%	-7%
Clearance Rate	101%	101%	100%			
Juvenile						
Filed	47,581	52,651	58,422	11%	11%	23%
Disposed	47,075	51,867	57,864	10%	12%	23%
Pending	5,875	6,659	7,217	13%	8%	23%
Clearance Rate	99%	99%	99%			
Total						
Filed	197,022	219,200	231,493	11%	6%	17%
Disposed	196,775	214,897	230,315	9%	7%	17%
Pending	44,169	48,472	49,650	10%	2%	12%